

BEING PROPOSITIONED BY THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT

The San Francisco Unified School District (the SFUSD) has authority to raise money by placing initiatives on the San Francisco ballot. On three recent occasions that the SFUSD used this power—twice to issue bonds and once to raise a parcel tax to boost teacher salaries—San Francisco's residents supported the significant advantages offered. But the devil is in the details. The bond measures each included \$15 million to move the School of the Arts—an objective the SFUSD had no intention of meeting. Similarly, the parcel tax included language that allows the SFUSD to spend millions with little oversight and much discretion. The Jury applauds the SFUSD's skill in using propositions to raise funds but warns that it risks alienating the public if it is not more scrupulous in its explanation of where the money will be spent. The Jury also recommends that the SFUSD or the City or both create a structure for reviewing the language in proposition measures before they are submitted to the ballot; failure to do so ultimately will result in the SFUSD killing public confidence and good will—the food that allows the goose to keep laying the golden eggs.

The Purpose of the Civil Grand Jury

The Civil Grand Jury is a government watchdog made up of volunteers who serve for one year. The Civil Grand Jury reports with findings and recommendations resulting from its investigations. The investigated agencies, departments or officials are required by the California Penal Code to respond publicly within at most 90 days.

The nineteen members of the Civil Grand Jury are selected at random from a pool of thirty prospective jurors. San Francisco residents are invited to apply.

More information can be found at:

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Pursuant to state law, reports of the Civil Grand Jury do not identify the names or provide identifying information about individuals who spoke to the Civil Grand Jury.

Departments and agencies identified in the report must respond to the Presiding Judge of the Superior Court within the number of days specified, with a copy sent to the Board of Supervisors. For each finding of the Civil Grand Jury, the response must either (1) agree with the finding, (2) disagree with it, wholly or partially, and explain why. Further, as to each recommendation made by the Civil Grand Jury, the responding party must report either that (1) the recommendation has been implemented, with a summary explanation of how it was implemented; (2) the recommendation has not been implemented, but will be implemented in the future, with a time frame for the implementation; (3) the recommendation requires further analysis, with an explanation of the scope of that analysis and a time frame for the officer or agency head to be prepared to discuss it (less than six months from the release of the report); or (4) that recommendation will not be implemented because it is not warranted or reasonable, with an explanation of why that is. (California Penal Code, sections 933, 933.05).

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Executive Summary

The 2008-2009 Civil Grand Jury (the Jury) reviewed three recent measures placed on the ballot by the San Francisco Unified School District (SFUSD)– Proposition A 2003, 2006 and 2008. In each case, the SFUSD requested that voters pass the ballot measure so that the SFUSD could raise money to meet a principal objective. The 2003 and 2006 measures were written to raise funds for construction projects to meet federally required accessibility standards. The 2008 measure authorized the SFUSD to raise funds to increase teacher salaries. All three measures were approved by voters and resulted in significant advantages for the SFUSD. In each case, however, the ballot initiatives also included language to allow the SFUSD to meet other, less publicized, less central and more problematic objectives. The investigation exposed that SFUSD used location of the popular School of the Arts (SOTA) to entice support for the 2003 and 2006 bond measures. Because there are virtually no controls on the manner in which– or purposes for which– the SFUSD inserts such additional language, the proposition procedure should be modified.

Part I describes the history of the SOTA's location and the continuing inability of SFUSD to make a decision on SOTA and act on it. SOTA has a long and storied history of failed efforts to move it since the 1989 Loma Prieta earthquake. The school now remains at its current campus while both the Van Ness and Fell St. properties continue to decay, SFUSD remains uncommitted to either killing the project or refurbishing the properties, and SFUSD may continue to manipulate the ballot process.

Part II of this report deals with the \$30 million in bonds set aside for moving SOTA. In each of the 2003 and 2006 ballots, SFUSD included language that allowed for the sale of \$15 million in bonds for “rehabilitating the complex at 135 Van Ness” [which includes the property at 170 Fell Street] in order to allow for its occupancy by the School of the Arts (SOTA). Information was available to the most diligent of researchers– but not included in the bond measures– that made clear moving SOTA would cost over \$100 million. Less public was the fact that even after the bonds were authorized, SFUSD was not willing to spend the money nor provide the leadership necessary to mount a capital campaign as described in the 2003 ballot so that the school could actually be moved.

Part III of this report deals with the 2008 parcel tax measure. SFUSD negotiated with the teachers' union, the United Educators of San Francisco (UESF), to use the proposition process to raise teacher salaries with proceeds from a parcel tax. Two things went wrong. First neither SFUSD nor UESF disclosed that they would use a perverted definition of compensation. Second, the proposition was written with the collusion of UESF to allow the SFUSD to spend 29% of the funds for its own purposes beyond anything defined as teacher compensation. This is particularly disturbing once it is discovered that the 41% of the collected money that would go to teacher salaries will be dramatically reduced by increases in their health care costs.

Part I The History of the Location of SOTA

Since its inception the location of the School of the Arts (SOTA) has been a political football. Many people think that the school should be in the Civic Center area where the arts programs of the City reside. The concept of SOTA located in the Civic Center has always appealed to the voters. The Jury has put together a complete description of the many plans and discussions regarding the location of SOTA since its inception. This document is Appendix 1 and a summary is presented here.

In the Beginning

In 1982, SFUSD opened a new school housed within the already-occupied McAteer High School Campus at 555 Portola Drive in San Francisco. This new school was to be a magnet school for the arts, long the dream of San Francisco artist/activist Ruth Asawa and her architect husband, Albert Lanier. Two schools in one building was an unsatisfactory arrangement.

After the 1989 Earthquake

In 1990 Ruth Asawa and her husband suggested the building at 135 Van Ness Avenue would be a good location for SOTA, in close proximity to the Civic Center with the art museums, Opera and Symphony. However, that building and the adjacent 170 Fell Street had suffered extensive damage in the 1989 earthquake. Between 1989 and 1995 the SFUSD and FEMA argued about the details of repairing the two buildings or demolishing 170 Fell.¹ In the end FEMA awarded funds that were spent ostensibly to build two elementary schools and SFUSD Administration moved back into the damaged 135 Van Ness Avenue.

The Aftershocks

In 1992 SOTA was moved to 700 Font Street, a vacant elementary school. The move was always considered temporary because it was an elementary school and was ill suited to serve high school students. It was twelve years, numerous efforts to raise money for SOTA, and waffling on the part of the school district before SOTA was moved from Font back to the McAteer then empty campus, where it remains today.

In 1996 toward the beginning of the process to move SOTA to 135 Van Ness Avenue, the estimated cost of repairing the building was \$13.7 million.² The most recent estimate is \$140 million.³ The machinations of SFUSD include studies, commissioned plans⁴ set aside of money in the budget and requests for money by the ballot to move SOTA⁵ multiple times. SFUSD has taken no action to effect the move. Nor has SFUSD decided not to move SOTA. The cost rises as time passes and SFUSD makes no decision. It is time to make a final decision and act on it. SFUSD has eleven parcels specifically designated as surplus property: the ten parcels identified by the CBRE report and the Font St. property which has been on the market. (See Use or Lose It: A Report on the Surplus Property Owned by the San Francisco Unified School District)

The Jury's surplus property report contained information that made clear there were no impediments to SFUSD selling the named 11 parcels of its surplus property.

Part II Proposition A 2003 and 2006

Administrators at SFUSD generally acknowledge that the genesis of Proposition A 2003 was a 1999 lawsuit. The SFUSD became the defendant in a lawsuit which alleged that it did not provide disabled students the same access to programs as it did to the general student population.⁶ A tremendous amount of money would be necessary to bring the schools into compliance with federal law. Accordingly, SFUSD put on the ballot a measure to raise the needed funds through the proposition process.

The 2003 bond measure raised \$280 million toward making specific improvements to specific schools.⁷ The measure passed in November of 2003 and by 2004, SFUSD had entered into a legal settlement to bring its facilities into compliance with federal access laws.⁸ Besides the specific

named projects, the proposition contained money to move SOTA. Proposition A 2003 provides, in relevant part, as follows:

"\$15 million is being included specifically for the purpose of rehabilitating the complex at 135 Van Ness in order to allow for its occupancy by the School of the Arts ("SOTA"). The District will not use this \$15 million of bond authorization for any other purpose except for the SOTA facilities described herein....

"It is further the intention of the District that these funds be used upon the successful completion of a capital campaign undertaken by SOTA supporters. No bonds will be issued for work related to SOTA until the Board of Education has determined, in its sole discretion, that sufficient funds exist, in total, from Federal, State, local and donated monies, to complete the desired project."

Sufficient funds remain available upon the sale of surplus property. (See 2008-2009 Jury report, on surplus property) In 2003 the voters were unable to set aside \$15 million in bond authorizations for SOTA or without funding hundreds of millions of dollars to begin to meet federal access requirements. The bond measure passed.

In 2005 it became apparent that the 2003 bond funds were running out sooner than expected. SFUSD arranged for a second bond measure for \$450 million on the 2006 ballot.⁹ Again, the text of the proposition set aside \$15 million for SOTA. This time, however, the location for the school was less definitive and there was no requirement for a capital campaign:

"The District proposes to use \$15 million for rehabilitating the complex at 135 Van Ness Avenue or an as-yet unidentified alternative site, in order to allow for its occupancy by the School of the Arts ("SOTA")."

Importantly, each of the two bond requests outlined in exquisite detail exactly what work was to be done on which schools with the exception of SOTA. Both measures were very vague regarding how the requested funds would be spent for SOTA.

The Jury was unable to determine the reasons that the \$15million for moving SOTA was included in the 2003 Proposition A, nor how SFUSD decided what restrictions to put on the use of the money that would be allocated through the bond measure.

The 2006 bond measure was different. Interviews with key SFUSD personnel and documents make clear that discussions between SOTA supporters and key administration officials resulted in an agreement whereby SOTA supporters would support the bond measure in exchange for the \$15 million allocation for moving the school. During the negotiations, SFUSD conducted research, including polling, to assess (1) whether the support from SOTA supporters was necessary and (2) the minimum amount of money SFUSD would have to put toward moving SOTA in order to gain the votes for the bond of the school's supporters. Therefore, rather than allowing a straight up or down vote on SOTA, SFUSAD manipulated SOTA supporters to vote for the \$280 million bond measure.

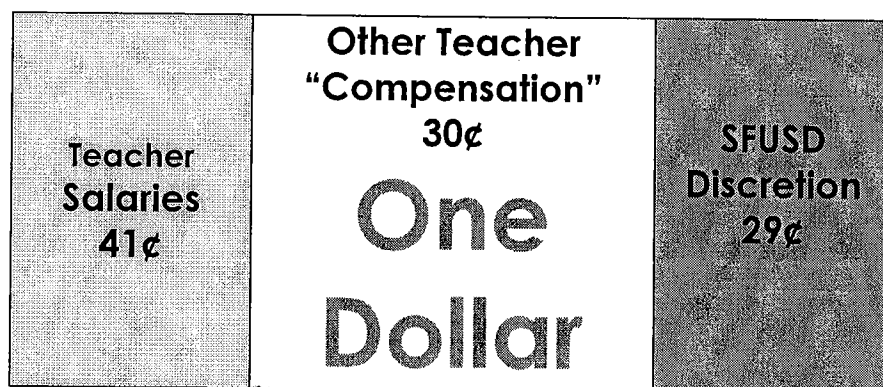
There are two factors that distinguish the \$15 million allocation in the 2006 bond measure. First, SFUSD and the SOTA supporters both understood that it would cost well over \$100 million to move the school to the 135 Van Ness complex. Unlike the 2003 bond, however, there was no requirement in the 2006 bond that the school had to move to 135 Van Ness as a prerequisite for spending the \$15 million. Second, there is ample evidence SFUSD had no intention of moving SOTA at the time it placed the 2006 measure on the ballot. Several members of the Board of Education and key members of the administration managing facilities have acknowledged there was no plan to do so. The SFUSD's study looking into the feasibility of moving the school to 135 Van Ness was not completed until 2007. Even after SFUSD's study concluded that a capital campaign could succeed, SFUSD took no steps to initiate such a campaign or locate a person willing to do so.

Part III Proposition A 2008

In 2008 the SFUSD in collusion with United Educators of San Francisco (UESF) put on the ballot the Quality Teacher and Education Act as Proposition A 2008,¹⁰ in order to improve teacher recruitment and retention. Proposition A was to generate revenue in the form of a parcel tax of \$198 per parcel of land within the city. The parcel tax would be collected from July 1, 2008 until July 1, 2028. Senior citizens would have the opportunity of an exemption. The monies collected from the parcel tax would be adjusted over time for inflation.

Then City Controller Edward Harrington had estimated that at least \$28 million would be collected in the first year. Prior to the election, an MOU between the SFUSD and UESF was agreed upon with specific benefits to be provided.¹¹ The ballot measure also included funds for charter schools and allowed for "...compensation/stipends and/or benefits to other school personnel" and "....technology and other support resources...."

While SFUSD and UESF agreed that 71.3% of the money raised by the parcel tax would go to teacher compensation, SFUSD retained the discretion to meet other priorities with the remaining 28.7% of the money raised. Further, only 41% goes to teachers' salaries.



Your Parcel Tax Dollar

The Board of Education has not yet authorized the payment to the charter schools nor created the oversight committee described in the measure. Since this money was raised by a parcel tax and not a bond measure

there is no legally required structure to oversee the expenditure of the funds. The ballot measure simply states that "An independent oversight committee shall be appointed by the Board of Education,"¹² leaving even more discretion for SFUSD in managing the money. There have been problems with bond oversight by SFUSD in the not-so-distant past, including refusal by the School Board to allow the oversight committee to hire an auditor.¹³

Once again it is important to note the detail in the ballot proposal as to exactly how the requested funds would be expended. Unlike the bond requests of 2003 and 2006 only general information is provided. This is true even though the MOU between SFUSD and UESF was negotiated prior to putting the measure on the ballot.

Findings

1. SFUSD used the moving of SOTA to 135 Van Ness as a ploy to garner votes to pass bond measures.
2. SFUSD failed to publicly disclose the estimated cost for moving SOTA when asking for funds in 2003 and 2006.
3. Currently, the SFUSD has demonstrated no consistent intent of ever moving SOTA to 135 Van Ness Ave.
4. SFUSD has designated as surplus 10 parcels by the CBRE report and 1 more, the Font St. property, all named in the 2008-2009 Civil Grand Jury Report, "Use It or Lose It: A Report on the Surplus Property Owned by the San Francisco Unified School District. " Funds from the sale of the surplus property would facilitate the move of SOTA to the Civic Center.
5. A published news report and letters to the editors¹⁴ of the major San Francisco newspapers improperly attribute false arguments to the Jury and raise the untrue concern that there are deed restrictions on the SFUSD surplus-designated property. The Jury's efforts to level the playing field with corrections and/or retractions have not yet been heeded by the press.

6. SFUSD asked for funds on the ballot in 2008 for "Quality Teacher and Education" that resulted in only 41% of funds going to teacher salaries.

Recommendations

1. That measures placed on the ballot by SFUSD to raise money have an independent review of the wording.
2. That the SFUSD in clear, concise, and specific language tell the public in all future money raising measures exactly what they are going to do with the money raised.
3. That SFUSD commit to moving SOTA to the Civic Center.
4. That SFUSD sell the 11 parcels described in Finding 4 to fund the move of SOTA to the 135 Van Ness complex without the use of any further bond measures.

Finding		1	2	3	4	5	6
Response	SFUSD	X	X	X	X		X
	Superintendent					X	

Recommendation		1	2	3	4
Response	SFUSD	X	X	X	X
	Mayor	X	X		X
	Board of Supervisors	X	X		X

Endnotes for the Report

1. Al-Nammari, F. "Sustainable Disaster Recovery of Historical Buildings, The Case of San Francisco After Loma Prieta Earthquake", (2006) A Dissertation, Texas A&M University Pg 90-95.
<http://repository.tamu.edu/bitstream/handle/1969.1/5874/etd-tamu-2006A-ARCH-AlNamma.pdf?sequence=1>
2. Al-Nammari pg 97.
3. David Goldin A.I.A., Chief Facilities Officer, SFU/UASF Tentative Agreement: Parcel Tax Equity adjustment: February 17, 2009.
4. Actions taken: 1990- FEMA Damage Survey Report, 1991- SFUSD Alternate Project for use of FEMA funds, 1992- Superintendent and Board of SFUSD commit to finding a better facility for SOTA, 1994- Architectural firms submit responses for SFUSD's request for proposal, 1995- Gordon Chong architects chosen by SFUSD to make 135 Van Ness and 170 Fell seismically safe, 1997- FEMA approves pending project, 1997- SFUSD publishes draft Environmental Impact Report, 1998- construction and demolition planned to begin, 1998- consultation process is stalled, 2000- Principal of SOTA announces creation of a new Artistic Director position for move to 135 Van Ness, 2001- Programmatic Agreement signed, 2002- McAteer High School closed, 2003- SFUSD puts Proposition A on the ballot with \$15 million for SOTA move-bonds not sold, 2005- additional architectural study of cost to move SOTA to 135 Van Ness, 2006- SFUSD puts Proposition A on ballot again-bonds not sold, SFUSD- develops Art Education Master Plan that notes SOTA three times.
5. Fiscal actions: 1993- SFUSD allocates \$10 million for SOTA move prior to placing bond measure on the ballot, 1993- SFUSD prepares a bond proposal including SOTA site, 1994- the bond passes, 1993-total cost of moving SOTA is \$23million, 1994- FEMA to provide 75% of estimated cost of repair, 1995- FEMA approves SFUSD cost estimates of \$9 million, 1995- Blue Scheme \$172 million, Sepia Scheme \$142 million, Nourse Auditorium \$29 million, 1997- estimated cost for SOTA move is \$40 million, 1997-SFUSD Facilities Management Dept details \$22.4 million set-side for SOTA, 2002-SFUSD required to repay FEMA \$15 million for failure

to mothball 170 Fell, 2003- Prop A \$15 million bond, 2006-Prop A \$15 million.

6. Lopez v. San Francisco Unified School Dist., No. C 99-3260 (SI) (D.Cal. filed July 6, 2004).
7. Prop A 2003 ballot measure, pg 37, see appendix 2.
8. See Lopez v. San Francisco Unified Sch. Dist., No. C 99-3260 (SI) (docket no. 547, settlement conf. minutes placing settlement on the record).
9. Prop A 2006 measure, pg 104 see appendix 3.
10. Prop A 2008 measure see appendix 4.
11. MOU between SFUSD and UESF see appendix 5.
12. See **endnote 10**, Prop A 2008.
13. Finnie , Chuck & Julian Guthrie, "A Grave Injustice Against the Children", San Francisco Chronicle, 11 November 2001.
<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2001/11/11/MN173740.DTL>
14. Newspaper Articles, see Appendix 6

Appendix 1

The History of SOTA

Glossary

DSR	Damage Survey Report
EIR	Environmental Impact Report
FEMA	Federal Emergency Management Agency
LPAB	Landmark Preservation Advisory Board
PA	Programmatic Agreement
SFAH	San Francisco Architectural Heritage
SFUSD	The San Francisco Unified School District
SHPO	State Historical Preservation Office
SOTA	The School of the Arts
VAPA	Visual and Performing Arts

Historical Outline

In 1982 The San Francisco Unified School District (SFUSD) opened a new school housed within the McAteer High School Campus at 555 Portola Drive in San Francisco. This new school was to be a magnet school for the arts, drawing students from throughout the SFUSD. This arts focused school had long been the dream of San Francisco artist Ruth Asawa and her husband. The new school was named "The School of the Arts" (SOTA). SOTA would be a school designed specifically around the arts. SOTA's mission statement then as it is today states:

*"The Mission of the SFUSD School of the Arts is to provide a specialized high school program and learning environment which are conducive to creative and independent thinking and artistic and academic excellence for promising students of the arts."*¹

By 1992 it had become clear to all involved that the two high schools sharing the same campus was not working. SOTA needed to develop its own identity on a separate campus. SFUSD had a vacant elementary school campus at 700 Font St. close to San Francisco State University. SOTA moved to the Font street address in 1992 to establish its own identity. The Legislative Analyst Report of 2007 stated the following about the Font St. campus:

*"However, as a former elementary school, the Font Street facility was ill suited to SOTA, and the move to Font was always considered temporary..."*²

In 1992 the Superintendent of SFUSD and the Board of Education committed to finding a larger facility for SOTA.

*"After discussion, it was determined that parcel 0815001, district property 135 Van Ness Avenue (formerly the Newton Tharp School, now SFUSD administrative offices) and 170 Fell Street (formerly High School of Commerce), might be an appropriate site."*³

Moving SOTA to 135 Van Ness Ave. and 170 Fell St. was fraught with problems. Both 135 Van Ness Ave. and 170 Fell St. had suffered damage in the 1989 Loma Prieta earthquake, although it was reported at the time that the 135 Van Ness building had suffered less damage than the Fell Street building. According to the State Historical Preservation Office (SHPO) and Federal Emergency Management Agency (FEMA), both buildings were collectively listed as San Francisco Landmark #140 and were eligible for National Register.

In 1990, a consultant prepared reports on the feasibility of repairing and code upgrading 135 Van Ness, originally the office of SFUSD before the Loma Prieta earthquake. This plan was found to be feasible. Plans were prepared for the selective demolition of parts of 170 Fell St. that were too damaged for repair. While the move back to 135 Van Ness Ave was physically and economically possible 170 Fell Street was a different matter. The Fell Building had suffered major damage and had been red tagged by the San Francisco Bureau of Building Inspections because of loss of lateral load bearing strength.⁴ The red tag status of 170 Fell Street meant that the building could only be entered with restrictions. The 170 Fell Street building could not be occupied until the red tag status was changed. This status has never been changed since the 1989 Loma Prieta earthquake. Nor has any repair work been performed on 170 Fell Street.

The movement back to 135 Van Ness Ave. was possible despite the fact that the building initially was red tagged by the San Francisco Bureau of Building Inspection, a City department. Since the building was owned by the SFUSD and not the City the red tag was changed to "secure" resulting in responsibility for the building moving from the city to the SFUSD.⁵ A 1990 Damage Survey Report (DSR) by the Federal Emergency Management Agency (FEMA), recognized that the building was owned by SFUSD, not the City⁶ and also assessed the building as "secure." The changes meant SFUSD could plan on using 135 Van Ness Avenue for use as office space.⁶

In 1990 SFUSD moved back to the 135 Van Ness Ave, with FEMA covering the cost. In addition, FEMA approved the cost for debris removal and emergency protective measures for 135 Van Ness Ave. and 170 Fell Street.⁷ At that time SFUSD wanted to use the 135 Van Ness Ave. building for administrative offices. But as time went on things began to become complicated regarding 135 Van Ness. SFUSD wanted to fix 135 Van Ness to a standard that would allow occupation by students. SFUSD disagreed with the initial DSR generated by FEMA that had been approved by SHPO (State Historical Preservation Office). SFUSD wanted to strengthen the building, as required to use the building as a school, but FEMA would not pay for this work, but only for the move back to 135 Van Ness Ave.

In the same year, (1990), during an award ceremony for Ruth Asawa, Ms. Asawa and her husband broached the idea of using 135 Van Ness Ave. for SOTA. A subsequent letter from Barkley, Attorney at Law⁸, to Interested Parties, Section 106 Process Dec 14, 1996 speaks to the issue. It was felt that locating SOTA in the Civic Center within the arts community of The Opera House and Davies Symphony Hall would bode well for SOTA.

In 1991 FEMA indicated that the cost of suggested repairs for 170 Fell Street would exceed 50% of the cost of replacing the building and that FEMA would not pay for repairs, but just for replacement, a lower amount.⁹ That same year FEMA said that 135 Van Ness and 170 Fell were eligible for National Register.

In late 1991 SFUSD requested an "Alternate Project" status.¹⁰ This meant that SFUSD could use the FEMA funds for another project, in this case the construction of two elementary schools. The cost of the two elementary schools would be more than 14 million dollars to construct. In response to the SFUSD "Alternate Project" FEMA informed the SFUSD that 170 Fell Street was eligible for the National Register. FEMA also informed SFUSD that new cost estimate to replace 170 Fell Street was beyond FEMA's previous estimate. At this time there were no future plans of what to do with 170 Fell St. The 135 Van Ness building was not discussed in the letter from FEMA.

In 1993 FEMA requested from SFUSD a status report on 170 Fell Street.¹¹ This was done so that FEMA could make a fair funding decision. The status report was delayed because the position of Facilities Director in SFUSD was vacant for a year.

Correspondence available in the SHPO files and the DSR's from this time period relating to SOTA indicate that SFUSD prepared a bond proposal in 1993 to cover several related school constructions and upgrades.¹² The bonds included an estimated cost for several schools including a SOTA site. SOTA already existed at the time at the Font Campus, an inferior site that did not meet SOTA's educational needs. The bond proposal was Proposition A which passed in 1994. Proposition A said:

".....to provide the School of the Arts with a more suitable building....."

At this point SFUSD knew that FEMA funding could not cover the move of SOTA to 135 Van Ness Ave.; nevertheless, prior to placing the measure on the ballot SFUSD had already allocated 10 million for SOTA's move.¹³ This 10 million was allocated with the thought that FEMA would provide funding for the damage repairs on 135 Van Ness Ave. and 170 Fell Street. The total cost at this point for the SOTA project was \$23 million dollars.¹⁴

In November 1994 many architectural firms submitted responses to "Request for Proposal" which specified renovation of 135 Van Ness Ave. and 170 Fell Street for the new SOTA.¹⁵ During the same period a meeting between SFUSD, FEMA and SHPO took place. At this meeting SFUSD pointed out that they no longer wanted to demolish 170 Fell Street but instead wanted the complex to be a K-12 school for the arts.¹⁶ Because

the new proposal would be an "Improved Project" under FEMA regulations, funding would be used to improve the status of the buildings and repair them. FEMA informed the SFUSD that it would only provide 75% of the estimated cost to repair and SFUSD would have to cover the rest of the costs.¹⁷

In 1995 FEMA approved SFUSD cost estimate in excess of 9 million dollars for repairs, hazardous material abatement and seismic upgrade. This included handicap access to 170 Fell Street. In March of 1995 SFUSD hired an Arts Education consultant who stated, before the studies on the buildings were completed by Gordon Chong Architects, that demolishing of 170 Fell Street would be necessary if the vision for SOTA was to be possible.¹⁸ In 1995 SFUSD engaged the services of Gordon Chong architects to make 135 Van Ness Avenue and 170 Fell Street seismically safe.

In 1995 Gordon Chong Architects prepared for SFUSD two conceptual designs. The two plans were called "Blue Scheme" and "Sepia Scheme" "Blue Scheme" called for the renovation of both 135 Van Ness Ave. and 170 Fell Street at an estimated cost of \$172 million. The "Sepia Scheme" called for renovation of 135 Van Ness Ave. and the demolishing of 170 Fell Street and the estimated cost was \$143 million. Neither the "Blue Scheme" nor the "Sepia Scheme" called for renovation of the on site Norse auditorium within 135 Van Ness Ave., which was estimated at a separate sum of \$29 million.¹⁹

In March 1995 SFUSD hired Chong Architects, who had prepared the Blue and Sepia Schemes for the project. By June of 1995 it was clear that SOTA would not fit into the existing complex i.e. 135 Van Ness Ave. and 170 Fell Street.²⁰

There were many meetings and much discussion between SFUSD, SHPO, FEMA, LPAB (Landmark Preservation Advisory Board) and San Francisco Heritage over plans for 135 Van Ness Ave. and 170 Fell Street in 1996. These discussions centered on the idea of saving 170 Fell St. as opposed to demolition. In 1990 SFUSD received Landmark status for 170 Fell Street. However, SFUSD wanted 170 Fell Street to be demolished if SOTA was to succeed. Once it received landmark status it would become very difficult for the SFUSD to demolish 170 Fell Street.

In April of 1997 FEMA approved the pending project with the completion of the Environmental Impact report and a Section 106 historic review. Estimated cost for SOTA was \$40 million.²¹ SFUSD anticipated \$10 million from FEMA for 170 Fell Street (this would be for demolition and replacing

the building), \$2 million from FEMA for 135 Van Ness Ave. repairs, and \$24-27 million from school bonds approved by voters in the 1994. FEMA approved the DSR cost and established a 75% FEMA funding cost, as required for an Alternate Project Plan.

"By the end of 1997 the draft Environmental Impact Report (EIR) was published for public comment. The construction and demolition was to start in 1998 and finish in 2000 with a budget of \$46 million. FEMA funding was for the amount of \$14 million and the bond issues funding was \$32 million. This plan was not supported by SHPO because a Section 106 process was not finished yet and FEMA might still not approve the project."²² This plan would only work if 170 Fell St. was demolished which put the preservationists in a highly defensive mode.

By 1998 the consultation process was stalled. At this time FEMA asked SFUSD to submit another request for Revised Improved Project. During this period SFUSD was planning to buy a new building and relocate the occupants of 135 Van Ness. The proposal was to earmark the money allocated to relocate SFUSD staff to a new building and make room for SOTA. FEMA funds would be used to move the SFUSD to a new office building. The project was approved in a letter dated September 27, 1999. A total of \$15 million was approved for the complex.²³

In December of 1999 the SFUSD took the following action at School Board meeting:

(912-14W6 – Action) Authorization to Reserve the property located at 170 Fell Street for the School of the Arts and to allocate a portion of the \$27,000,000 set aside by Resolution No. 94-27A12 for "mothballing" of the said property. (912-14W7 – Action) Incorporation of Seismic Improvement at 170 Fell Street Site into Existing Design Contract for School of the Arts at 135 Van Ness Avenue. ²⁴

It seemed, judging by the board resolution above, that at least some actions regarding 135 Van Ness and 170 Fell Street would begin but nothing was happening. A letter from Eureka Valley Trails & Art Network, an art foundation in San Francisco headed by the same artist who suggested the project, was sent to FEMA and to all parties involved in the consultation process. They said that FEMA money was supposed to go for SOTA, and that that was the resolution that the former SFUSD board made. They also said that the new board should respect the earlier plan by keeping the money and using it for SOTA. Later, there were several

presentations for the public held at Landmark Preservation Advisory Board (LPAB) that explained the new plan. The minutes of the last meeting of the SOTA task force (August 10, 1999), 20 state that the SOTA project would start in two years that for two years the buildings would be used by SFUSD to save funds on rent, and that SOTA would stay in its current place for three years. By the end of the three years, the complex on Van Ness Ave. and Fell St. would be ready for them to move in.²⁵

In the midst of these discussions a new School Board was elected with substantially different ideas about SOTA and 170 Fell Street. The new board had a public hearing in which they told the public that FEMA money was earmarked for SOTA and that they would mothball 170 Fell Street until such time as funds were found to fully rehabilitate 170 Fell Street.²⁶

On February 8, 2000 at a Regular Meeting of SFUSD School Board the following resolution were passed. (02-08W3-Action) Approved to use 135 Van Ness block for school of the Arts.

TUESDAY, MARCH 14, 2000

Resolutions on Consent Calendar Removed at Previous Meeting for Second Reading

01-25W6 – School of the Arts Plan

Public speakers to 01-25W6 (and the following two resolutions) were Dorice Murphy, Ruth Asawa, Al Lanier, and Jim Haas.

01-25W6 was adopted by 6 ayes, 1 absent (Commissioner Dr. Owens).

02-08W3 – Approval to use 135 Van Ness Block for School of the Arts (SOTA)

02-08W3 was adopted by 6 ayes, 1 absent (Commissioner Dr. Owens).

02-08W4 – School of the Arts Adoption of Alternative B, Variant 2, 3, or 4

02-08W4 was adopted by 6 ayes, 1 absent (Commissioner Dr. Owens).²⁷

It seemed that the new School Board was well on their way in support of moving SOTA to 135 Van Ness Ave.

In the Fall of 2000 Yvonne McClung, the then Principal of SOTA, said the following, "Beginning in the Fall of 1993 a new position of Artistic Director was created in the S.F.U.S.D. Presently, we are expanding our arts curriculum as we plan for our move to 135 Van Ness."²⁸

By 2001 the Programmatic Agreement (PA) was signed and about 95% of the SOTA plan was done. By the end of 2001 two things happened which again created problems for SOTA. The homeless broke into 170 Fell Street and SFUSD was without a Facilities Manager. Not having a Facilities Manager left the projects on hold and without attention.²⁹

On June 3, 2002 the San Francisco Architectural Heritage (SFAH) held a meeting at 555 Franklin (SFUSD Administrative Office) concerning the disposition of 135 Van Ness and 170 Fell Street. In the SFAH document it stated the following, "Long ago, the School District slated these buildings (including Landmark 140 and contributory to Civic Center Historical district) to be rehabilitated to house the School of the Arts."

In February 2002 SHPO sent a letter to FEMA stating the SFUSD had neglected 170 Fell St. and compromised the buildings historical integrity. The SHPO pointed out in a memo in 2002, "...there is a mountain of evidence in public record that indicates that the SFUSD's desire to demolish this building accounts for the history of neglect."³⁰ This meant that the historical nature of the building could only be maintained through mothballing. Mothballing is done to protect a building from pests, allow for proper ventilation, securing the building and asbestos removal.

Mothballing started in November of 2002. Since SFUSD had not conformed to the PA, FEMA could have required SFUSD to repay the \$15 million they were given. SFUSD was in no shape to repay the money and FEMA and SHPO did not require them to pay the money back. Instead they gave SFUSD until February 2003 to complete mothballing. SFUSD finished mothballing 170 Fell Street in 2003 and 135 Van Ness Avenue was being used for offices. At this point nothing was being done about SOTA.

In 2002 McAteer High School was closed by the SFUSD. Once McAteer was closed SOTA was moved from Font St. back to its initial site, the old McAteer campus at 555 Portola Drive. SOTA is currently housed at the 555 Portola site.

In the Lowell High School paper in February 2002 the following was said.

'The move to the Portola campus is temporary, according to district assistant superintendent to high schools Frank Tom. SOTA students will use McAteer facilities until the district allocates further funds to build the new SOTA campus at Van Ness. The move to the Portola campus is temporary, according to district assistant superintendent Frank Tom'.³¹

At a meeting of the South East Community Facility Commission "Commissioner Brown thanked Dr. Ackerman for meeting with the Commission and thanked her for the difference she has made to the children. Commissioner Brown wanted to know the status of the SOTA School. Dr. Ackerman stated they are still committed to doing SOTA but they are going to have to go back to the voters to get the money to build the new school, which is expected to be at 135 Van Ness. The SOTA

school at the present time is housed at McAteer to enable the student population to grow in size without difficulty."³²

In 2003 the SFUSD put Proposition A on the San Francisco General Election Ballot. Proposition A 2003 stated the following:

School of the Arts

\$15 million is being included specifically for the purpose of rehabilitating the complex at 135 Van Ness in order to allow for its occupancy by the School of the Arts ("SOTA"). The District will not use this \$15 million of bond authorization for any other purpose except for the SOTA facilities described herein. The cost of the SOTA project will include its share of the costs of bond issuance, architectural, engineering and similar planning costs, construction management, legal costs and other costs ordinarily chargeable to capital accounts under applicable law and a customary contingency for unforeseen design, construction and other permitted costs. It is further the intention of the District that these funds be used only upon the successful completion of a capital campaign undertaken by SOTA supporters. No bonds will be issued for work related to SOTA until the School Board has determined, in its sole discretion, that sufficient funds exist, in total, from Federal, State, local and donated monies, to complete the desired project.

In July of 2004 according to Proposition A 2003 Bond Oversight committee the bonds for SOTA have never been sold.

The San Francisco Board of Supervisors voted 10 to 1 to place on the November 2004 General Election ballot Proposition B. This stated:

Shall the City borrow \$60,000,000 to buy, renovate or preserve historical resources owned by the City or the San Francisco Unified School District? Within the legal text of proposition B was the following sentences:

"City proposes to issue up to \$60,000,000 in general obligation bonds to help finance the acquisition, rehabilitation, renovation, improvement, construction or preservation of these historical resources and structures benefiting historic resources."

".....the San Francisco Unified School District's School of the Arts – Auditorium,....."

In 2006 the SFUSD put another Proposition A on the ballot stating the following:

School of the Arts

The District proposes to use \$15 million for rehabilitating the complex at 135 Van Ness

Avenue or an as-yet unidentified alternative site, in order to allow for its occupancy by the School of the Arts ("SOTA"). The cost of the SOTA project will include its share of the costs of bond issuance, architectural, engineering and similar planning costs, construction management, legal costs and other costs ordinarily chargeable to capital accounts or otherwise permitted by law and a customary contingency for unforeseen site acquisition, design, construction and other permitted costs.

According to SFUSD and the Bond Oversight committee these bonds also have not been sold.

In 2006 SFUSD developed the Art Education Master Plan; School of the Arts was mentioned in the plan three times.

"There is continued progress toward moving SOTA from its current site on the McAteer campus to the Civic Center/Arts Corridor at 135 Van Ness Ave." ³³

"VAPA [Visual and Performing Arts] needs resources, adequate space and amenities to fulfill its duties. The VAPA office will move to SOTA on the McAteer campus in August 2006, then to 135 Van Ness when SOTA relocates there." ³⁴

"SOTA, opened in 1982, currently operates at McAteer High School and is slated to move to 135 Van Ness Avenue, where it will take its place as a part of the downtown Civic Center arts corridor. This new location will enable students to readily catch the world-class performances and exhibitions San Francisco has to offer, both in the immediate neighborhood and made accessible by public transit".³⁵
Once more SOTA is mentioned as moving to 135 Van Ness with no discussion of the resources needed to move SOTA .

In 2005-2007 an additional architectural study was performed to re-price moving SOTA to 135 Van Ness and it was discovered that estimates were now in the range of \$140 million dollars. ³⁶

To complete this history it is important for the reader to know that not one person whom the members of the Grand Jury interviewed, whether they were on the Bond Oversight Committee, School Board Members, Mayors Office, SFUSD Real Estate Office or employed by the SFUSD, believed that SOTA would ever be moved to 135 Van Ness Ave.

Endnotes for The History of SOTA

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3. Al-Nammari, F. "Sustainable Disaster Recovery of Historical Buildings, The Case of San Francisco After Loma Prieta Earthquake", (2006) A Dissertation, Texas A&M University Pg 90.
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Appendix 2

Excerpt of Proposition A 2003*

*Entire Proposition available at:
http://sfpl4.sfpl.org/pdf/files/November4_2003.pdf

LEGAL TEXT OF PROPOSITION A

BALLOT LANGUAGE SUMMARY

November 4, 2003, "Proposition A", San Francisco Unified School District

Shall the San Francisco Unified School District repair and rehabilitate its facilities to current accessibility, health, safety and instructional standards, replace worn-out plumbing, electrical and other major building systems, replace aging heating, ventilation and air handling systems, renovate outdated classrooms and other training facilities, construct facilities to replace bungalows, by issuing \$295 million in bonds, at legal interest rates, with guaranteed annual audits, citizens' oversight and no money for school administrators' salaries?

Bonds - Yes

Bonds - No

FULL TEXT OF PROPOSITION A

This full text of the ballot proposition shall be reproduced in any official document required to contain the full statement of the bond proposition.

The specific school facilities projects that the San Francisco Unified School District proposes to finance with proceeds of bonds authorized by this proposition (the "Bond Project List") are listed in the following pages, which is an integral part of the proposition. The Bond Project List was developed by the Board upon evaluation of, among other factors, safety, class size reduction, and information technology needs. Each listed project may include a share of bond issuance costs, architectural, engineering, and similar planning costs, construction management, relocation costs, legal costs and other costs ordinarily chargeable to capital accounts under law, and a customary contingency for unforeseen design, construction and other costs. No bond money will be used for teacher or administrator salaries or any other school operating expenses.

Approval of this proposition does not guarantee that the proposed projects in the San Francisco Unified School District that are the subject of bonds under the proposition will be funded beyond the local revenues generated by the proposition. The San Francisco Unified School District's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure. The Board does not guarantee that the bonds will provide sufficient funds to allow completion of all listed projects.

The Bond Project List describes work that the San Francisco Unified School District may undertake, provided funds are sufficient to complete the work contemplated. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. San Francisco Unified School District commits that no funds obtained through bonds authorized by this measure will be spent except for projects listed

on the Bond Project List.

Any Bonds issued pursuant to Section 15100 of the Education Code shall have a maturity not exceeding twenty-five (25) years, and any Bonds issued pursuant to Section 53506 of the Government Code shall have a maturity of not exceeding forty (40) years and that the Bonds shall bear interest at a rate not exceeding the applicable legal limits.

Pursuant to Section 53410 of the Government Code, upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the chief fiscal officer of the District shall cause a report to be filed no later than January 1 of each fiscal year stating 1) the amount of bond proceeds received and expended in that year and 2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year or other appropriate period as the chief fiscal officer shall determine and may be incorporated in the annual budget, any annual financial or performance audit (including the annual audits required by Proposition 39), or any other appropriate routine report to the Board.

All expenditures by the San Francisco School District of funds obtained through bonds authorized by this proposition shall be subject to the review and oversight of a Citizens' Oversight Committee, which shall actively review and report on the proper expenditure of taxpayers' money for the projects on the Bond Project List.

The Citizens' Oversight Committee shall review annual, independent performance and financial audits of bond fund expenditures and report to the public at least once a year on the results of its activities. The Citizens' Oversight Committee will have the responsibility to report to the public if any bond funds are being spent in violation of Proposition 39 or in a manner inconsistent with the Bond Project List.

BOND PROJECT LIST

Abraham Lincoln High School

Work anticipated to be completed at Abraham Lincoln High School through this bond program, and any available State matching funds includes the following:

Bungalow Replacement

The bungalows will be replaced with a new building.

Priority 1 Accessibility Work

- Installation of accessible parking and signage.
- Construct and/or modify curb ramps.
- Construct a ramp, lift or other means of vertical access to ensure that the path of travel from south of the girls' locker room to the girls' locker room is accessible.
- Install a ramp to the courtyard west of the

auditorium.

- Provide a path of travel from the parking lot east of the boys' locker room to each side of the stadium.
- Install a ramp to each side of the east bleachers.
- Install a lift, ramp or other means of vertical access to the lower level of the basement north of the cafeteria corridor.
- Install lockers that are accessible.
- Modify the elevators and platform lift, if necessary, to ensure they are accessible.
- Modify a section of the pull-out bleachers in the gym to provide wheelchair seating locations.
- Install a lift, ramp or other means of vertical access to the stage.
- Install side extensions to protruding hazards including, but not limited to such things as water fountains, fire alarm boxes and fire hoses.
- Replace gratings in all paths of travel with units that have narrower openings.
- Lower door thresholds and modify sizes of alcoves to provide improved accessibility.
- Installation of handrails on both indoor and outdoor stairways.
- Installation of contrasting striping on stairways.
- Modifications to existing doors, including adjustment of the door opening force and adjustment of door widths.
- Replacement of exterior door hardware with accessible hardware.
- Renovations to existing restrooms including permanent signage, adjustment of the heights and lengths of various amenities (including grab bars, towel racks, soap dispensers, mirrors, etc.), insulation of pipes, installation of doors on accessible stalls, replacement of the faucet controls, renovation to ensure sufficient space for wheelchair users.
- Provide wheelchair seating in the assembly areas.
- Provide assistive listening devices in all assembly areas.
- Installation of direction signage.
- Install visual warning system devices to provide alarm notification to hearing impaired persons.

Priority 2 Accessibility Work

- Modifications to existing ramps and handrails to enhance accessibility.
- Install a second handrail on stairways where there is only one handrail.
- Replace interior door hardware with accessible hardware.
- Replace drinking fountains with accessible units.
- Modify the counters in areas including, but

(Continued on next page)



- not limited to the main office, library and food service areas to ensure they are accessible.
- Lower the tray slides and tray returns in the cafeteria to ensure they are accessible.
- Modify the path of travel in each locker room to ensure a minimum aisle width of 44" throughout.
- Install a full length mirror in the girls' locker room.
- Install one accessible shower stall in each locker room.
- Remove a portion of the splash guards in the showers to create an accessible path of travel.
- Provide accessible benches in each locker room.
- Create a staging area by paving a portion of the sand and grass area in front of the east bleachers with an accessible surface. Ensure there is an accessible path of travel from behind the east bleachers to the front of the bleachers.
- Create a path of travel from the school buildings by way of the parking lot east of the boys' locker room to each side of the stadium.
- Create an accessible wheelchair seating area adjacent to the east bleachers at the stadium.

Priority 3 Accessibility Work

- Modifications to existing handrails to either extend them in length or change the diameter of the railing.

Environmental Improvements

- Where work will be done in areas with Asbestos Containing Materials (ACM's), those ACM's will be removed and replaced with new materials. Asbestos will be removed from crawlspaces 1 - 3, floor tiles in areas C-92A and C-93 and in crawlspace #1 under the boys' gym. Lead paint will be removed from any area that will have construction.

Health and Safety Needs

- Replace asphalt in parking and play areas.
- Replace fencing.
- Renovate or replace stadium benches.
- Electrical wiring for exit and emergency lights will be repaired or replaced.
- Major portions of the elevators have outlived their useful life and will be replaced.
- Major portions of the electrical system have outlived their useful life and will be replaced.
- Major portions of the clock system have outlived their useful life and will be replaced.
- Major portions of the heating piping system have outlived their useful life and will be replaced.
- Major portions of the domestic water (copper piping) system have outlived their useful life and will be replaced.
- Renovate or replace plaster partitions and

drywall.

- Doors and door hardware will be replaced as needed.
- Doors not replaced will be stripped, resealed and painted.
- Window frames not replaced will be stripped, resealed and painted.
- Damaged carpeting will be replaced with either carpeting or floor tile.
- Damaged lockers will be replaced.
- Damaged cabinets will be replaced.
- Partial or complete replacement of damaged ceilings.
- Damaged or failing flooring will be replaced.
- Damaged or outdated restroom fixtures will be replaced.
- Damaged or outdated space heaters will be replaced.
- Damaged drinking fountains will be replaced.
- Damaged wood flooring will be renovated or replaced.
- Electrical outlets and switches will be replaced.
- Ceiling exhaust fans will be installed.
- Sinks in various non-restroom areas of the building (janitor's closets, classrooms, etc.) will be replaced as needed.
- Interior ceilings and walls will be repaired as needed, primed and painted.
- Concrete floors will be resealed, as needed and, if required, repainted.
- Areas of the building being renovated will be painted.

Balboa High School

Work anticipated to be completed at Balboa High School through this bond program, and any available State matching funds includes the following:

Priority 1 Accessibility Work

- Installation of accessible parking and signage.
- Construct and/or modify curb ramps.
- Install a lift, ramp or other means of vertical access to the mezzanine seating in the gym.
- Install lockers that are accessible.
- Install a lift, ramp or other means of vertical access to the basement should the use of the basement change, or if the basement is unlocked.
- Install a ramp near the center stairway to provide access to Room 239, above the stage.
- Install a lift, ramp or other means of vertical access to the dressing rooms of Music Room 140.
- Install a lift, ramp or other means of vertical access to the bleachers in the gym, or discontinue using the bleachers.
- Modify elevators to ensure they are accessible.

- Install a lift, ramp or other means of vertical access to the stage.
- Install side extensions to protruding hazards including, but not limited to such things as water fountains, fire alarm boxes and fire hoses.
- Lower door thresholds and modify sizes of alcoves to provide improved accessibility.
- Installation of handrails on both indoor and outdoor stairways.
- Installation of contrasting striping on stairways.
- Modifications to existing doors, including adjustment of the door opening force and adjustment of door widths.
- Replacement of exterior door hardware with accessible hardware.
- Renovations to existing restrooms including permanent signage, adjustment of the heights and lengths of various amenities (including grab bars, towel racks, soap dispensers, mirrors, etc.), insulation of pipes, installation of doors on accessible stalls, replacement of the faucet controls, renovation to ensure sufficient space for wheelchair users.
- Provide wheelchair seating in the multi-purpose room.
- Provide assistive listening devices in all assembly areas.
- Installation of direction signage.
- Ensure that all devices attached to the visual warning system are operational. Install additional visual warning system devices to provide alarm notification to hearing impaired persons.

Priority 2 Accessibility Work

- Modifications to existing ramps and handrails to enhance accessibility.
- Install a second handrail on stairways where there is only one handrail.
- Replace interior door hardware with accessible hardware.
- Replace drinking fountains with accessible units.
- Lower a portion of the window counter outside the main office to ensure it is accessible.
- Lower a portion of the outdoor snack bar counter to ensure it is accessible.
- Lower a portion of the checkout counter in the library to ensure it is accessible.
- Provide wheelchair seating in Music Room 140 and the auditorium.
- Install an accessible shower stall in each locker room.
- Remove a portion of the splash guard in each locker room to assure an accessible path of travel.
- Install accessible lockers in each locker room.
- Install a full length mirror in each locker room.

(Continued on next page)



LEGAL TEXT OF PROPOSITION A (CONTINUED)

Health and Safety Needs

In the bungalows:

- Electrical wiring for exit and emergency lights will be repaired or replaced.
- Partial or complete replacement of damaged ceilings.
- Damaged or failing flooring will be replaced.
- Replace the damaged foundations.
- Replace the electrical system.
- Replace the concrete walkway.
- Repair or replace the plumbing system and water line.
- If it is determined to be less expensive to do so, replace bungalows rather than complete the repairs.

In the other buildings:

- Electrical wiring for exit and emergency lights will be repaired or replaced.
- Major portions of the electrical system have outlived their useful life and will be replaced.
- Major portions of the clock system have outlived their useful life and will be replaced.
- Major portions of the heating piping system have outlived their useful life and will be replaced.
- Major portions of the interior lighting system have outlived their useful life and will be replaced.
- Doors and door hardware will be replaced as needed.
- Doors not replaced will be stripped, resealed and painted.
- Window frames not replaced will be stripped, resealed and painted.
- Air conditioning to the computer room will be installed.
- Damaged bleachers will be renovated or replaced.
- Damaged lockers will be replaced.
- Damaged carpeting will be replaced with either carpeting or floor tile.
- Partial or complete replacement of damaged ceilings.
- Damaged stair treads will be replaced.
- Damaged or failing flooring will be replaced.
- Damaged or outdated restroom fixtures will be replaced.
- Damaged or outdated space heaters will be replaced.
- Damaged drinking fountains will be replaced.
- Damaged wood flooring will be renovated or replaced.
- Electrical outlets and switches will be replaced.
- Ceiling exhaust fans will be installed.
- Sinks in various non-restroom areas of the building (janitor's closets, classrooms, etc.) will be replaced as needed.
- Interior ceilings and walls will be repaired as needed, primed and painted as.

- Concrete floors will be resealed, as needed and, if required, repainted.
- Areas of the building being renovated will be painted.

John O'Connell High School

Work anticipated to be completed at John O'Connell High School through this bond program, and any available State matching funds includes the following:

- Build out the shell of the uncompleted wing into an auditorium.

Lowell High School

Work anticipated to be completed at Lowell High School through this bond program, and any available State matching funds includes the following:

Priority 1 Accessibility Work

- Installation of accessible parking and signage.
- Construct and/or modify curb ramps.
- Install a ramp to the north entrance of the auditorium.
- Install a ramp to the directors' booth in the auditorium.
- Widen the exterior path of travel at one set of the railings at the four snack bar counters so it is a minimum of 48" wide.
- Provide a paved path 48" wide to the football field.
- Provide a paved path 48" wide to the student garden area.
- Install a lift to the upper staff lounge on the north side.
- Install a lift to the weight room of the gym.
- Install lifts to the boys' and girls' locker rooms.
- Install ramps to both south entrances of the boys' and girls' locker rooms.
- Install a ramp to the women's faculty restroom on the second floor.
- Install ramps to each of the following bungalows - T5, T6, T7, T8, T9 and T10.
- Modify/repair walkways.
- Install a lift, ramp or other means of vertical access to the Room 110.
- Create accessible wheelchair seating in the bleachers in the auxiliary gym and at the soccer field should those facilities be used by spectators.
- Install lockers that are accessible.
- Modify the elevators to ensure they are accessible.
- Replace gratings in all paths of travel with units that have narrower openings.
- Install side extensions to protruding hazards including, but not limited to such things as water fountains, fire alarm boxes and fire hoses.
- Installation of handrails on both indoor and outdoor stairways.
- Installation of contrasting striping on stairways.

- Modifications to existing doors, including adjustment of the door opening force and adjustment of door widths.
- Replacement of exterior door hardware with accessible hardware.
- Renovations to existing restrooms including permanent signage, adjustment of the heights and lengths of various amenities (including grab bars, towel racks, soap dispensers, mirrors, etc.), insulation of pipes, installation of doors on accessible stalls, replacement of the faucet controls, renovation to ensure sufficient space for wheelchair users.
- Provide wheelchair seating in the assembly areas.
- Provide assistive listening devices in all assembly areas.
- Installation of direction signage.
- Install visual warning system devices to provide alarm notification to hearing impaired persons.
- Lower door thresholds and modify sizes of alcoves to provide improved accessibility.

Priority 2 Accessibility Work

- Modifications to existing ramps and handrails to enhance accessibility.
- Install a second handrail on stairways where there is only one handrail.
- Replace interior door hardware with accessible hardware.
- Replace drinking fountains with accessible units.
- Modify the counters in areas including, but not limited to the main office, library and food service areas to ensure they are accessible.
- Install a full length mirror in the each locker room.
- Install one accessible shower stall in each locker room.
- Remove a portion of the splash guards in the showers to create an accessible path of travel.
- Provide accessible benches in each locker room.
- Ensure there exists a path of travel a minimum of 44" wide throughout the locker rooms.
- Widen the aisle at the food service line.
- Widen the book stack aisles to make them accessible.

Priority 3 Accessibility Work

- Modifications to existing handrails to either extend them in length or change the diameter of the railing.

Mission High School

Work anticipated to be completed at Mission High School through this bond program, and any available State matching funds includes the following:

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LEGAL TEXT OF PROPOSITION A (CONTINUED)

Priority 1 Accessibility Work

- Installation of accessible parking and signage.
- Construct and/or modify curb ramps.
- Install a lift, ramp or other means of vertical access to the boys' gym.
- Install a lift, ramp or other means of vertical access to the mezzanine seating level of the boys' gym.
- Install lockers that are accessible.
- Install a lift, ramp or other means of vertical access to the ROTC rifle range, should that program be used.
- Install a ramp near the center stairway to provide access to Rooms 500A, 500B and 500C.
- Install a lift, ramp or other means of vertical access to the dressing rooms above the stage of the auditorium.
- Modify the elevator to ensure it is accessible.
- Install a lift, ramp or other means of vertical access to the stage.
- Install side extensions to protruding hazards including, but not limited to such things as water fountains, fire alarm boxes and fire hoses.
- Lower door thresholds and modify sizes of alcoves to provide improved accessibility.
- Installation of handrails on both indoor and outdoor stairways.
- Installation of contrasting striping on stairways.
- Modifications to existing doors, including adjustment of the door opening force and adjustment of door widths.
- Replacement of exterior door hardware with accessible hardware.
- Renovations to existing restrooms including permanent signage, adjustment of the heights and lengths of various amenities (including grab bars, towel racks, soap dispensers, mirrors, etc.), insulation of pipes, installation of doors on accessible stalls, replacement of the faucet controls, renovation to ensure sufficient space for wheelchair users.
- Provide wheelchair seating in the assembly areas.
- Widen the aisles at the secondary food service line.
- Provide assistive listening devices in all assembly areas.
- Installation of direction signage.
- Install visual warning system devices to provide alarm notification to hearing impaired persons.

Priority 2 Accessibility Work

- Modifications to existing ramps and handrails to enhance accessibility.
- Install a second handrail on stairways where there is only one handrail.
- Replace interior door hardware with accessible hardware.
- Replace drinking fountains with accessible units.
- Modify the counters in areas including,

but not limited to the main office, library and food service areas to ensure they are accessible.

- Install one accessible shower stall in each locker room.
- Remove a portion of the splash guards in the showers to create an accessible path of travel.
- Provide accessible benches in each locker room.
- Modify the accessible shower stalls in each locker room to make them fully accessible.
- Pave an area adjacent to the north side bleachers of the football field for use as a wheelchair seating area.

Priority 3 Accessibility Work

- Modifications to existing handrails to either extend them in length or change the diameter of the railing.

Environmental Improvements

- Where work will be done in areas with Asbestos Containing Materials (ACM's), those ACM's will be removed and replaced with new materials. Asbestos will be removed from the fire doors throughout the basement of the facility. Lead paint will be removed from the ceiling and wall of the girls' gym corridor, the ceiling of the basement stair corridor, the red steps at the southwest corner of Room 006, Wall "C" of Room 126, the backboard in the girls' gym, the radiator of Room 218, as well as any area that will have construction.

Health and Safety Needs

- Asphalt will be replaced in parking and play areas.
- Electrical wiring for exit and emergency lights will be repaired or replaced.
- Major portions of the electrical system have outlived their useful life and will be replaced.
- Major portions of the interior lighting system have outlived their useful life and will be replaced.
- Major portions of the heating system, including piping, have outlived their useful life and will be replaced.
- Renovate or replace a damaged safety shower in the Mechanical Room.
- Doors and door hardware will be replaced as needed.
- Doors not replaced will be stripped, resealed and painted.
- Window frames not replaced will be stripped, resealed and painted.
- Damaged lockers will be replaced.
- Damaged auditorium seating will be renovated or replaced.
- Damaged carpeting will be replaced with either carpeting or floor tile.
- Partial or complete replacement of damaged ceilings.

- Damaged or failing flooring will be replaced.
- Damaged or outdated restroom fixtures will be replaced.
- Damaged or outdated space heaters will be replaced.
- Damaged drinking fountains will be replaced.
- Damaged wood flooring will be renovated replaced.
- Electrical outlets and switches will be replaced.
- Ceiling exhaust fans will be installed.
- Sinks in various non-restroom areas of the building (janitor's closets, classrooms, etc.) will be replaced as needed.
- Interior ceilings and walls will be repaired as necessary, then primed and painted.
- Concrete floors will be resealed, as needed and, if required, repainted.
- Areas of the building being renovated will be painted.

School of the Arts

\$15 million is being included specifically for the purpose of rehabilitating the complex at 135 Van Ness in order to allow for its occupancy by the School of the Arts ("SOTA"). The District will not use this \$15 million of bond authorization for any other purpose except for the SOTA facilities described herein. The cost of the SOTA project will include its share of the costs of bond issuance, architectural, engineering and similar planning costs, construction management, legal costs and other costs ordinarily chargeable to capital accounts under applicable law and a customary contingency for unforeseen design, construction and other permitted costs.

It is further the intention of the District that these funds be used only upon the successful completion of a capital campaign undertaken by SOTA supporters. No bonds will be issued for work related to SOTA until the School Board has determined, in its sole discretion, that sufficient funds exist, in total, from Federal, State, local and donated monies, to complete the desired project.

Thurgood Marshall High School

Work anticipated to be completed at Thurgood Marshall High School through this bond program, and any available State matching funds includes the following:

Programmatic Improvements

- The construction of a new Chemistry classroom.
- The construction of a new Food/Nutrition classroom.
- The construction of a new Cafeteria building.

(Continued on next page)



Appendix 3

Excerpt of Proposition A 2006*

*Entire Proposition available at:

[http://www.sfgov.org/site/uploadedfiles/election/Elections_Pages/ExB450
Million2006final2Adopted.pdf](http://www.sfgov.org/site/uploadedfiles/election/Elections_Pages/ExB450Million2006final2Adopted.pdf)

EXHIBIT B

FULL TEXT OF PROPOSITION A

This full text of the ballot proposition shall be reproduced in any official document required to contain the full statement of the bond proposition.

The specific school facilities projects that the San Francisco Unified School District proposes to finance with proceeds of bonds authorized by this proposition (the "Bond Project List") are listed in the following pages, which is an integral part of the proposition. All 64 projects are in addition to and mutually exclusive of the 32 projects included in the Prop A 2003 Bond. The Bond Project List was developed by the Board upon evaluation of, among other factors, safety, class size reduction, and information technology needs. Each listed project may include a share of election and bond issuance costs, program phasing and analysis, architectural, engineering, and similar planning costs, construction management, relocation costs, legal costs and other costs ordinarily chargeable to capital accounts or otherwise permitted by law, the costs of furnishing and equipping the listed projects, and a customary contingency for unforeseen site acquisition, design, construction and other costs. No bond money will be used for teacher or administrator salaries or any other school operating expenses. The District at its discretion may replace a facility rather than renovate it.

Approval of this proposition does not guarantee that the proposed projects in the San Francisco Unified School District that are the subject of bonds under the proposition will be funded beyond the local revenues generated by the proposition. The San Francisco Unified School District's proposal for the project or projects may assume the receipt of matching State funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure. The Board does not guarantee that the bonds will provide sufficient funds to allow completion of all listed projects.

The Bond Project List describes work that the San Francisco Unified School District may undertake, provided funds are sufficient to complete the work contemplated. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. San Francisco Unified School District commits that no funds obtained through bonds authorized by this measure will be spent except for projects listed on the Bond Project List.

If the bonds are authorized and sold, the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. Landlords are authorized to pass through up to fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) of the City and County of San Francisco.

Any Bonds issued pursuant to Section 15264 of the Education Code shall have a maturity not exceeding twenty-five (25) years, and any Bonds issued pursuant to Section 53506 of

the Government Code shall have a maturity of not exceeding forty (40) years, and the Bonds shall bear interest at a rate not exceeding the applicable legal limits.

Pursuant to Section 53410 of the Government Code, upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. The chief fiscal officer of the San Francisco Unified School District shall cause a report to be filed no later than January 1 of each year in which any proceeds of the Bonds remain unexpended, and any year in which proceeds were expended in the previous year stating 1) the amount of bond proceeds collected and expended in the preceding year and 2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year or other appropriate period as the chief fiscal officer shall determine and may be incorporated in the annual budget, any annual financial or performance audit (including the annual audits required by Proposition 39), or any other appropriate routine report to the Board.

All expenditures by the San Francisco Unified School District of funds obtained through bonds authorized by this proposition shall be subject to the review and oversight of a Citizens' Oversight Committee, which shall actively review and report on the proper expenditure of bond proceeds for the projects on the Bond Project List.

The Citizens' Oversight Committee shall review annual, independent performance and financial audits of bond fund expenditures and report to the public at least once a year on the results of its activities. The Citizens' Oversight Committee will have the responsibility to report to the public if any bond funds are being spent in violation of Proposition 39 or in a manner inconsistent with the Bond Project List.

BOND PROJECT LIST

Proceeds generated by the San Francisco Unified School District's proposed bond measure for \$450,000,000 and any available State matching funds would be used to pay for:

Twenty First Century/Willie Brown Academy (2055 Silver Avenue)

Work anticipated to be completed at 2055 Silver Avenue, currently housing Twenty First Century/Willie Brown Academy, through this bond program and any available State matching funds includes the following:

Health and Safety Needs

- Install fire detection system
- Install fire sprinkler system
- Installation of a new elevator
- Install panic hardware
- Repair and/or replacement of interior and exterior drinking fountains
- Repair and/or replacement of classroom sinks

- Repave damaged asphalt in parking lot and in playground
- Repair concrete sidewalks and pathways
- Repair or replace air grills

Major Building System Repair/Replacement/Installation

- Repair or replace electrical system
- Repair, replace or install clock system
- Repair, replace or install phone system
- Repair, replace or install security system
- Repair or replace plumbing system
- Repair or replace copper pipes in domestic water system
- Repair or replace cast iron pipes in the sewage system
- Repair or replace roof as needed

Restroom Renovations

- Renovate restrooms

Accessibility Work

- Striping and signage for disabled parking
- Install curb ramps and striping and signage for loading zones
- Installation of room and directional signage
- Installation of assistive listening devices as needed
- Repair/replace/realign countertops including, but not limited to, the kitchen, cafeteria, office and library
- Lower electrical switches

Environmental Improvements

- Where work will be done in areas with Asbestos Containing Materials (ACM's), those ACM's will be removed and replaced with new materials. Lead paint will be removed from any area that will have construction.
- Repair or replace air handling unit
- Repair or replace heating system, including boilers, hydronic heating units and gas and steam pipes

General Improvements and Site Repairs

- Repair or replace auditorium seating
- Repair or replace gym floor
- Repair or replace stage light controls
- Replace damaged carpet with tile or linoleum
- Partial or complete replacement of damaged flooring
- Concrete floors will be resealed, as needed and, if required, repainted.
- Damaged or failing flooring will be replaced
- Cabinets will be repaired or replaced as needed
- Doors not replaced to be stripped, resealed and painted
- Window frames not replaced will be stripped, resealed and painted
- Replacement of damaged lockers.
- Restroom fixtures will be replaced as needed
- Space heaters will be replaced as needed

Electrical outlets and switches to be replaced as needed

Ceiling exhaust fans will be installed.

Sinks in various non-restroom areas of the building (janitor's closets, classrooms, etc.) will be replaced as needed

Partial or complete replacement of ceilings as needed.

Interior ceilings and walls will be repaired as needed, primed and painted

The interior and exterior of the building to be painted as needed

Replacement of gates

Level landings in paved areas

Modification of grates in paved areas

Replacement of door hardware

Principals Center (1360 43rd Avenue)

Work anticipated to be completed at 1360 43rd Avenue, currently housing Principals Center, and any available State matching funds includes the following:

Health and Safety Needs

- Install fire detection system
- Install fire sprinkler system
- Repair and/or replacement of existing elevator
- Installation of a new elevator
- Repair and/or replacement of interior and exterior drinking fountains
- Repair and/or replacement of classroom sinks
- Repair and/or replacement of ramps, including handrails
- Repair and/or replacement of handrails in interior and exterior stairways
- Striping of all stairs
- Modification of door alcoves
- Installation of door mats
- Repair or replace chain link fencing
- Repave damaged asphalt in parking lot and in playground
- Repair concrete sidewalks and pathways
- Repair or replace air grills

Major Building System Repair/Replacement/Installation

- Repair or replace electrical system
- Repair, replace or install clock system
- Repair, replace or install phone system
- Repair, replace or install security system
- Repair or replace plumbing system
- Repair or replace copper pipes in domestic water system
- Repair or replace cast iron pipes in the sewage system
- Repair or replace roof as needed

Restroom Renovations

- Renovate restrooms

Accessibility Work

- Striping and signage for disabled parking
- Install curb ramps and striping and signage for loading zones

Installation of room and directional signage

Installation of assistive listening devices as needed

Repair/replace/realign countertops including, but not limited to, the kitchen, cafeteria, office and library

Lower electrical switches

Environmental Improvements

- Where work will be done in areas with Asbestos Containing Materials (ACM's), those ACM's will be removed and replaced with new materials. Lead paint will be removed from any area that will have construction.
- Repair or replace air handling unit
- Repair or replace heating system, including boilers, hydronic heating units and gas and steam pipes

General Improvements and Site Repairs

- Repair or replace auditorium seating
- Repair or replace gym floor
- Repair or replace stage light controls
- Replace damaged carpet with tile or linoleum
- Partial or complete replacement of damaged flooring
- Concrete floors will be resealed, as needed and, if required, repainted.
- Damaged or failing flooring will be replaced
- Cabinets will be repaired or replaced as needed
- Doors not replaced to be stripped, resealed and painted
- Window frames not replaced will be stripped, resealed and painted
- Replacement of damaged lockers.
- Restroom fixtures will be replaced as needed
- Space heaters will be replaced as needed
- Electrical outlets and switches to be replaced as needed
- Ceiling exhaust fans will be installed.
- Sinks in various non-restroom areas of the building (janitor's closets, classrooms, etc.) will be replaced as needed
- Partial or complete replacement of ceilings as needed.
- Interior ceilings and walls will be repaired as needed, primed and painted
- The interior and exterior of the building to be painted as needed
- Replacement of gates
- Level landings in paved areas
- Modification of grates in paved areas
- Replacement of door hardware

(Continued on next page)



Impact Community High School (1360 43rd Avenue)

Work anticipated to be completed at 1360 43rd Avenue, currently housing Impact Community High School, and any available State matching funds includes the following:

Health and Safety Needs

- Install fire detection system
- Install fire sprinkler system
- Repair and/or replacement of existing elevator
- Installation of a new elevator
- Repair and/or replacement of interior and exterior drinking fountains
- Repair and/or replacement of classroom sinks
- Repair and/or replacement of ramps, including handrails
- Repair and/or replacement of handrails in interior and exterior stairways
- Striping of all stairs
- Modification of door alcoves
- Installation of door mats
- Repair or replace chain link fencing
- Repave damaged asphalt in parking lot and in playground
- Repair concrete sidewalks and pathways
- Repair or replace air grills

Major Building System Repair/Replacement/Installation

- Repair or replace electrical system
- Repair, replace or install clock system
- Repair, replace or install phone system
- Repair, replace or install security system
- Repair or replace plumbing system
- Repair or replace copper pipes in domestic water system
- Repair or replace cast iron pipes in the sewage system
- Repair or replace roof as needed

Restroom Renovations

- Renovate restrooms

Accessibility Work

- Striping and signage for disabled parking
- Install curb ramps and striping and signage for loading zones
- Installation of room and directional signage
- Installation of assistive listening devices as needed
- Repair/replace/realign countertops including, but not limited to, the kitchen, cafeteria, office and library
- Lower electrical switches

Environmental Improvements

- Where work will be done in areas with Asbestos Containing Materials (ACM's), those ACM's will be removed and replaced with new materials. Lead paint will be removed from any area that will have construction.
- Repair or replace air handling unit

- Repair or replace heating system, including boilers, hydronic heating units and gas and steam pipes

General Improvements and Site Repairs

- Repair or replace auditorium seating
- Repair or replace gym floor
- Repair or replace stage light controls
- Replace damaged carpet with tile or linoleum
- Partial or complete replacement of damaged flooring
- Concrete floors will be resealed, as needed and, if required, repainted.
- Damaged or failing flooring will be replaced
- Cabinets will be repaired or replaced as needed
- Doors not replaced to be stripped, resealed and painted
- Window frames not replaced will be stripped, resealed and painted
- Replacement of damaged lockers.
- Restroom fixtures will be replaced as needed
- Space heaters will be replaced as needed
- Electrical outlets and switches to be replaced as needed
- Ceiling exhaust fans will be installed.
- Sinks in various non-restroom areas of the building (janitor's closets, classrooms, etc.) will be replaced as needed
- Partial or complete replacement of ceilings as needed.
- Interior ceilings and walls will be repaired as needed, primed and painted
- The interior and exterior of the building to be painted as needed
- Replacement of gates
- Level landings in paved areas
- Modification of grates in paved areas
- Replacement of door hardware

1360 43rd Avenue (YTEC)

Work anticipated to be completed at 1360 43rd Avenue, currently housing YTEC, and any available State matching funds includes the following:

Health and Safety Needs

- Install fire detection system
- Install fire sprinkler system
- Repair and/or replacement of existing elevator
- Installation of a new elevator
- Repair and/or replacement of interior and exterior drinking fountains
- Repair and/or replacement of classroom sinks
- Repair and/or replacement of ramps, including handrails
- Repair and/or replacement of handrails in interior and exterior stairways
- Striping of all stairs
- Modification of door alcoves
- Installation of door mats
- Repair or replace chain link fencing

- Repave damaged asphalt in parking lot and in playground
- Repair concrete sidewalks and pathways
- Repair or replace air grills

Major Building System Repair/Replacement/Installation

- Repair or replace electrical system
- Repair, replace or install clock system
- Repair, replace or install phone system
- Repair, replace or install security system
- Repair or replace plumbing system
- Repair or replace copper pipes in domestic water system
- Repair or replace cast iron pipes in the sewage system
- Repair or replace roof as needed

Restroom Renovations

- Renovate restrooms

Accessibility Work

- Striping and signage for disabled parking
- Install curb ramps and striping and signage for loading zones
- Installation of room and directional signage
- Installation of assistive listening devices as needed
- Repair/replace/realign countertops including, but not limited to, the kitchen, cafeteria, office and library.
- Lower electrical switches

Environmental Improvements

- Where work will be done in areas with Asbestos Containing Materials (ACM's), those ACM's will be removed and replaced with new materials. Lead paint will be removed from any area that will have construction.
- Repair or replace air handling unit
- Repair or replace heating system, including boilers, hydronic heating units and gas and steam pipes

General Improvements and Site Repairs

- Repair or replace auditorium seating
- Repair or replace gym floor
- Repair or replace stage light controls
- Replace damaged carpet with tile or linoleum
- Partial or complete replacement of damaged flooring
- Concrete floors will be resealed, as needed and, if required, repainted.
- Damaged or failing flooring will be replaced
- Cabinets will be repaired or replaced as needed
- Doors not replaced to be stripped, resealed and painted
- Window frames not replaced will be stripped, resealed and painted
- Replacement of damaged lockers.

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- Restroom fixtures will be replaced as needed
- Space heaters will be replaced as needed
- Electrical outlets and switches to be replaced as needed
- Ceiling exhaust fans will be installed.
- Sinks in various non-restroom areas of the building (janitor's closets, classrooms, etc.) will be replaced as needed
- Partial or complete replacement of ceilings as needed.
- Interior ceilings and walls will be repaired as needed, primed and painted
- The interior and exterior of the building to be painted as needed
- Replacement of gates
- Level landings in paved areas
- Modification of grates in paved areas
- Replacement of door hardware

Hilltop High School Campus (2730 Bryant Street)

Work anticipated to be completed at 2730 Bryant Street, currently housing Hilltop High School/RAP, through this bond program, and any available State matching funds includes the following:

Health and Safety Needs

- Install fire detection system
- Install fire sprinkler system
- Installation of a new elevator
- Repair and/or replacement of interior and exterior drinking fountains
- Repair and/or replacement of classroom sinks
- Repair and/or replacement of ramps, including handrails
- Repair and/or replacement of handrails in interior and exterior stairways
- Striping of all stairs
- Modification of door alcoves
- Installation of door mats
- Repair or replace chain link fencing
- Repave damaged asphalt in parking lot and in playground
- Repair concrete sidewalks and pathways
- Repair or replace air grills

Major Building System Repair/Replacement/Installation

- Repair or replace electrical system
- Repair, replace or install clock system
- Repair, replace or install phone system
- Repair, replace or install security system
- Repair or replace plumbing system
- Repair or replace copper pipes in domestic water system
- Repair or replace cast iron pipes in the sewage system
- Repair or replace roof as needed

Restroom Renovations

Renovate restrooms

Accessibility Work

- Striping and signage for disabled parking
- Installation of ramps and striping and signage for loading zones
- Installation of room and directional signage
- Installation of assistive listening devices as needed
- Repair/replace/realign countertops including, but not limited to, the kitchen, cafeteria, office and library
- Lower electrical switches
- Raise electrical outlets

Environmental Improvements

- Where work will be done in areas with Asbestos Containing Materials (ACM's), those ACM's will be removed and replaced with new materials. Lead paint will be removed from any area that will have construction.
- Repair or replace air handling unit
- Repair or replace heating system, including boilers, hydronic heating units and gas and steam pipes

General Improvements and Site Repairs

- Repair or replace gym floor
- Damaged or failing flooring will be replaced
- Cabinets will be repaired or replaced as needed
- Doors not replaced to be stripped, resealed and painted
- Window frames not replaced will be stripped, resealed and painted
- Replacement of damaged lockers.
- Restroom fixtures will be replaced as needed
- Space heaters will be replaced as needed
- Electrical outlets and switches to be replaced as needed
- Ceiling exhaust fans will be installed.
- Sinks in various, non-restroom areas of the building (janitor's closets, classrooms, etc.) will be replaced as needed
- Partial or complete replacement of ceilings as needed.
- Interior ceilings and walls will be repaired as needed, primed and painted
- The interior and exterior of the building to be painted as needed
- Replacement of gates
- Level landings in paved areas
- Modification of grates in paved areas
- Replacement of door hardware

Charter Schools

The following District-owned facilities house Charter Schools.

- 1350-7th Avenue (currently occupied by Cross Cultural Academy)
- 3531-22nd Street (currently occupied by Edison Charter)
- 1430 Scott Street (currently co-occupied by Gateway Charter/KIPP SF Bay

Academy)

300 Seneca Avenue (currently occupied by Leadership Charter)

Work anticipated to be completed at each of these facilities through this bond program, and any available State matching funds includes the following:

Health and Safety

- Install fire detection system
- Install fire sprinkler system
- Installation of chair lifts
- Installation of new elevators
- Rehabilitation of existing elevators
- Repair and/or replacement of interior and exterior drinking fountains
- Repair and/or replacement of classroom sinks
- Repair and/or replacement of ramps, including handrails
- Repair and/or replacement of handrails in interior and exterior stairways
- Striping of all stairs
- Modification of door alcoves
- Installation of door mats
- Repave damaged asphalt in parking lot and in playground
- Repair concrete sidewalks and pathways

Restroom Renovations

- Renovate restrooms

Accessibility Work

- Installation of curb ramps and striping and signage for loading zones
- Striping and signage for disabled parking
- Installation of room and directional signage
- Installation of assistive listening devices as needed
- Repair/replace/realign countertops including, but not limited to, the kitchen, cafeteria, office and library
- Lower electrical switches
- Raise electrical outlets
- Replacement of gates
- Level landings in paved areas
- Modification of grates in paved areas
- Replacement of door hardware

School of the Arts

The District proposes to use \$15 million for rehabilitating the complex at 135 Van Ness Avenue or an as-yet unidentified alternative site, in order to allow for its occupancy by the School of the Arts ("SOTA"). The cost of the SOTA project will include its share of the costs of bond issuance, architectural, engineering and similar planning costs, construction management, legal costs and other costs ordinarily chargeable to capital accounts or otherwise permitted by law and a customary contingency for unforeseen site acquisition, design, construction and other permitted costs.

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Greening of Playgrounds

The District proposes to use \$5 million of bond proceeds to incorporate green design opportunities in the play areas of certain District schools and as a way of providing an outdoor learning environment for students as specified. It is the District's intent to prioritize the use of these funds to the following schools:

Priority 1 Facilities

Alamo Elementary School
Alice Fong Yu Elementary School
Buena Vista Elementary School
Cabrillo Elementary School
Chinese Education Center Elementary School
Claire Lilienthal K-2 (Madison Campus)
Cleveland Elementary School
Dr. George Washington Carver Elementary School
Dr. William Cobb Elementary School
Edison Elementary Campus
Fairmount Elementary School
Francis Scott Key Elementary School
Glen Park Elementary School
Golden Gate Elementary School
Grattan Elementary School
Jefferson Elementary School
John Muir Elementary School
John Swett Elementary School
Lakeshore Elementary School
Lawton Elementary School
Marshall Elementary School
Mission Education Center Elementary School
and Kate Kennedy Child Development Center
New Traditions Elementary School
Rooftop Elementary School (Burnett Campus)
Sanchez Elementary School
Spring Valley Elementary School
Sunset Elementary School
Sutro Elementary School and Child Development Center
Twenty-first Century Elementary School
Ulloa Elementary School
William De Avila Elementary School

Priority 2 Facilities

Burnett Child Development Center
Commodore Stockton Child Development Center
Jefferson Child Development Center
John McLaren Child Development Center
Junipero Serra Annex Child Development Center
Mission Child Development Center
Noriega Child Development Center
Presidio Child Development Center
Raphael Weill Child Development Center
San Miguel Child Development Center
Theresa Mahler Child Development Center

Gardening in schools provides for standards based teaching, interaction with the environment and hands on learning. Basic design of schoolyard gardens may include:

- Gardening area, including plants and irrigation systems

- Work areas for potting, cutting, measuring, writing, drawing, etc.
- Areas for reflection, journaling, reading, observing
- Shade areas with gazebos or roofs
- Toolshed/Storage Shed with space for student instruction, including seating, bulletin boards, whiteboards, display and/or black-board surface
- Fencing-Basic chain link as barrier or multi-use for vertical growing
- Curb or mowstrip
- Entrances and exit gates

Additional elements may include:

- Lighting
- Sundial
- Water gauge
- Weather station
- Solar powered items such as clocks and fountains
- Greenhouses
- Cold frames
- Worm bins
- Weather vanes
- Bird houses
- A labyrinth on the lawn
- Art & Educational signatures
- Tile, mosaics, murals, birdbaths
- Fenced areas for animals

The cost of the green design projects will include their share of the costs of bond issuance, architectural, engineering and similar planning costs, construction management, legal costs and other costs ordinarily chargeable to capital accounts under applicable law and a customary contingency for unforeseen design, construction and other permitted costs.

Bond Planning and Appraisals

The District plans to allocate \$2 million in proceeds from this bond to plan for ADA accessibility work, as well as analyzing building system deficiencies at all District facilities not included in this proposition. Funds will also be used to offset the cost of the preparation of future bond program reports for these same facilities.



Appendix 4

Proposition A 2008

PROPOSITION A

This Proposition may be known and referred to as the "San Francisco Quality Teacher and Education Act of 2008" or as "Proposition A".

FINDINGS

WHEREAS: The Board of Education of the San Francisco Unified School District (the "Board") believes that a qualified special tax is necessary to maintain quality education for all of the students of the San Francisco Unified School District (the "District"); and

WHEREAS: Funding from the State of California (the "State") and Federal Government have been inadequate to meet these objectives and the Board has no assurance that State or Federal funding will permit the District to meet these objectives in the future; and

WHEREAS: Since Proposition 13 passed in 1978, California's per-pupil spending has slid to one of the lowest in the nation; in January 2008, an *Education Week* report ranked California 46th in education spending nationwide; and

WHEREAS: San Francisco has the 2nd highest cost of living of any city in the country but there are 13 cities in California alone that pay teachers more than San Francisco; and

WHEREAS: The District has a difficult time attracting and retaining quality teachers, with some schools suffering from high teacher turn over and some subjects, such as bilingual education, special education, math, and science, experiencing teacher shortages; and

WHEREAS: Education studies have show that one of the most important factors determining student achievement is a fully supported, well-trained and consistent teacher in the classroom; and

WHEREAS: The Board of Education has determined in its best judgment that in order to improve quality education in San Francisco for all students that an election is advisable and necessary to request voters to authorize a qualified special tax in the amount of \$198 per year per parcel of taxable real property, to be collected beginning July 1, 2008;

WHEREAS: Section 4 of Article XIII A of the California Constitution and Sections 50075, 50076, 50077, 50079 and, 53722 et seq. of the California Government Code, authorize a school district, upon approval of two-thirds of the electorate voting on the proposition, to levy a qualified special tax for specified purposes following notice and a public hearing; and

WHEREAS: The Board of Education has conducted public hearing after due notice regarding the proposed authorization of the special tax, as required by law, and

THEREFORE BE IT RESOLVED: That based upon these findings, the Board of Education of the San Francisco Unified School District provides as follows:

Section 1: TERMS OF THE SAN FRANCISCO QUALITY TEACHER AND EDUCATION ACT OF 2008

(a) **Terms and Purposes:** Upon approval of two thirds of those voting on this proposition, the District shall be authorized to and shall levy a qualified special tax of \$198 per year per parcel of taxable real property in the District, commencing July 1, 2008, and adjusting for inflation each year thereafter by the San Francisco All Items Consumer Price Index for All Urban Consumers (CPI-U) as reported by the US Department of Labor's Bureau of Labor Statistics.

The qualified special tax shall be known and referred to as the "San Francisco Quality Teacher and Education Act of 2008." Proceeds of the San Francisco Quality Teacher and Education Act of 2008 shall be authorized to be used to:

- Strategically raise the salary of teachers and provide retention bonuses so the District can compete with other districts in attracting and retaining the best teachers to support student achievement;
- Provide additional compensation/stipends to teachers who work at schools with high teacher turnover and in hard-to-fill subject areas;
- Provide additional training to staff, including Child Development Program and K-12 teachers and paraprofessionals;
- Provide more competitive compensation and/or benefits to other school personnel;
- Develop a Master Teacher program and provide incentives for exceptional teachers to stay in the classroom to support student achievement and promote professional learning communities;
- Expand and improve the Peer Assistance and Review program and increase teacher support and accountability;
- Support best practices at schools by providing additional recognition and resources to schools that model effective school-wide strategies and show the most growth in student achievement;
- Improve academic innovation, technology and other support resources to assure continuous growth of innovative teaching and learning opportunities and provide students, parents, and teachers with access to current technology and adequate resources to support student achievement;
- Allocate a portion of funds to public charter schools; and
- Conduct the election and provide oversight to make sure the proceeds from the parcel tax are only spent in the manner approved by the voters.

(b) **Senior Citizen Exemption Available:** An optional exemption from the special tax will be made available annually to each individual in the District who attains 65 years of age prior to July 1 of the tax year, and who owns a beneficial interest in the parcel, and who uses that parcel as his or her principal place of residence, and who applies to the District on or before July 1 of each tax year, or during the first year of the tax at a date to be determined by the Board of Education. Any application for such exemption must be submitted to the District and must be renewed annually.

Section 2: ACCOUNTABILITY MEASURES

(a) **Oversight Committee:** An independent oversight committee shall be appointed by the Board of Education to ensure that the proceeds from this proposition are expended for the purposes described in the proposition.

(b) **Government Code Section 50075.1 Compliance:** The members of the Board, the Superintendent of the District, and officers of the District are hereby requested and directed, individually and collectively, to provide accountability propositions pursuant to Government Code Section 50075.1 that include, but are not limited to, all of the following: (i) a statement indicating the specific purposes of the qualified special tax, (ii) a requirement that the proceeds be applied only to the specific purposes identified pursuant to subsection (i), (iii) the creation of a separate special account into which the proceeds from the special taxes shall be deposited, and (iv) an annual report pursuant to Section 50075.3. of the Government Code.

(c) **Government Code Section 50075.3 Compliance:** Pursuant to Section 50075.3 of the Government Code, the Board directs that the Chief Financial Officer of the District file a report with the Board no later than January 1, 2009, and at least once a year thereafter. The annual report shall contain both of the following: (i) the amount of funds collected and expended from the special taxes, and (ii) the status of any projects or programs required or authorized to be funded as identified in subsection (a)(i) hereof from the proceeds of the special taxes.

(d) **Specific Purposes:** All of the purposes set forth in the proposition shall constitute the specific purposes of the San Francisco Quality Teacher and Education Act of 2008, and the proceeds of that special tax shall be applied only for such purposes, and shall not fund any program, project or reduction other than those authorized above.

Section 3: PROTECTION OF FUNDING

If the adoption of this Proposition results in any decrease in State or Federal funding to the District, then the amount of the special taxes authorized by this Proposition will be reduced annually as necessary in order to restore any such reduction in State or Federal funding; or the Board may authorize the Tax Collector to transfer to the City's Children's Fund, or such other fund as the Board may designate for activities that are consistent with the general purposes of this proposition, such amounts as are designated by the Board to be necessary to restore any such reduction in State or Federal funding.

Section 4: LEVY AND COLLECTION

(a) **Collection:** The San Francisco Quality Teacher and Education Act of 2008 special tax shall be collected by the City And County of San Francisco's Office of the Treasurer and Tax Collector (the "Tax Collector") at the same time and in the same manner and shall be subject to the same penalties as *ad valorem* property taxes collected by the Tax Collector. The collection of taxes under the Quality Teacher in Every Classroom of 2008 shall not decrease the funds available from other sources of the District in any period from the effective date hereof.

(b) **Definition:** "Parcel of taxable real property" as used herein shall be defined as any unit of real property in the City and County of San Francisco that receives a separate tax bill for *ad valorem* property taxes from the Tax Collector's Office.

(c) **Exemption:** All property that the Tax Collector has determined to be otherwise exempt from or on which are levied no *ad valorem* property taxes in any year shall also be exempt from the San Francisco Quality Teacher and Education Act of 2008 in such year. The Tax Collector's determination of exemption or relief for any reason of any parcel from taxation, other than the Senior Citizen Exemption, shall be final on the taxpayer for purposes of the San Francisco Quality Teacher and Education Act of 2008. Taxpayers desiring to challenge the Tax Collector's determination should do so under the procedures established by the Tax Collector's Office and Section 4876.5 of the California Revenue and Taxation Code or other applicable law. Taxpayers seeking any refund of taxes paid pursuant to the San Francisco Quality Teacher and Education Act of 2008 shall follow the procedures applicable to tax refunds pursuant to the California revenue and Taxation Code.

(d) **List of Senior Citizen Exemption:** Parcels owned and occupied by individuals who are 65 years of age or older may be exempt pursuant to the Senior Citizen Exemption provisions set forth above. The District shall annually provide a list to the Tax Collector, on or before a date established by the Tax Collector each year, of the parcels which the District has approved for the Senior Citizen Exemption as described above.

(e) **Duration:** The collection of taxes pursuant to this San Francisco Quality Teacher and Education Act of 2008 shall commence July 1, 2008 and expire June 30, 2028.

(f) **Appropriations Limit:** The Board shall provide, pursuant to Section 7902.1 of the Government Code or any successor provision of law, for any increase in the District's appropriations limit as shall be necessary to ensure that the proceeds of the special tax may be collected and spent for the authorized purposes.

Section 5: SEVERABILITY

The Board hereby declares, and the voters by approving this proposition concur, that every section, paragraph, sentence and clause of this proposition has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this proposition by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law.

PROPOSITION B

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by:

- amending Section A8.428, to increase the years of service required for new employees to qualify for subsidized health benefits at retirement and to adjust the formula for calculating retiree health benefit subsidies for those new employees;
- adding Sections 12.204, A8.409-7, and A8.590-8, and amending Section A8.432, to fund retiree health benefits for the City and County of San Francisco and other participating employers;
- adding Sections A8.404-1 and A8.409-8 so that economic provisions, including wages, shall not be increased for miscellaneous City and County employees for the fiscal year commencing July 1, 2009 and ending on June 30, 2010, and recognizing certain ongoing economic expenditures by the City and County in future years; and
- adding Sections A8.526-2 and A8.526-3, and amending Sections A8.509, A8.587-2 and A8.587-13, to increase retirement benefits for retirees and employees who retire on or after January 10, 2009 to encourage longer employment and retention and improved cost of living benefits for all retirees and employees.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on June 3, 2008, a proposal to amend the Charter of the City and County by: amending Sections A8.428, A8.432, A8.509, A8.587-2 and A8.587-13; and, adding Sections 12.204, A8.404-1, A8.409-7, A8.409-8, A8.526-2, A8.526-3, and A8.590-8; all to read as follows:

Note: Additions are single-underline italics Times New Roman;
Deletions are ~~strikethrough-italics Times New Roman~~.

SEC. 12.204. RETIREE HEALTH CARE TRUST FUND.

The Retiree Health Care Trust Fund ("RHCTF") shall be an irrevocable trust fund established under Section A8.432, and separate from the Health Service System trust fund described in Charter Sections 12.203 and A8.428, to provide a funding source to defray the cost of the City's, and other Participating Employers', obligations to pay for health coverage for retired persons and their survivors entitled to health coverage under Section A8.428. Trust assets shall be held for the sole and exclusive purpose of providing health coverage to eligible retired persons and their survivors, and to defray the reasonable expenses of administering the RHCTF, including but not limited to educational, actuarial, consulting, administrative support and accounting expenses associated with the RHCTF. Administrative costs, including but not limited to educational, actuarial and consulting expenses associated with the Retiree Health Care Trust Fund, as adopted by the board of supervisors in the annual budget, shall be paid from the Retiree Health Care Trust Fund, but only upon adoption of a resolution by the Retiree Health Trust Fund Board approving such expenses.



Appendix 5

**Tentative Agreement for
SFUSD-UESF
Memorandum of Understanding***

* The SFUSD School Board has adopted this agreement; it is final.

**TENTATIVE AGREEMENT FOR
SFUSD-UESF
MEMORANDUM OF UNDERSTANDING**

**Regarding the Distribution of Potential Parcel Tax Revenues
for Teacher Compensation and Other Selected Areas.**

The San Francisco Unified School District (the "District") and the United Educators of San Francisco ("UESF" or "Union") agree that in the event a parcel tax measure is passed on the June 3, 2008 ballot the following provisions shall be implemented through appropriate action by the Board of Education.

Additional Teacher Compensation:

The salary schedules shall be adjusted in accordance with Attachment A to take effect on a date subsequent to July 1, 2008 and as soon as administratively feasible following receipt of the parcel tax revenues from the City Controller. In no event shall the parcel tax adjusted salary schedules set forth in Attachment A take effect later than ninety (90) days after the District's receipt of funds from the parcel tax. Effective August 1, 2008, teachers receiving additional salary credit placement for academic units shall have those units reviewed by the Human Resources Department, or District designee, for the purpose of seeing that they advance the subject area or credential of the individual. In cases of dispute the Head of Human Resources or designee shall make the final determination. The District and the Union shall consult on the criteria and process for the implementation of this section. Future negotiated salary percentage increases from reopener or full contract bargaining shall be calculated based on the schedules in effect on July 1, 2008, which shall be referred to in the collective bargaining agreement as the base salary schedules.

Continuing Education:

An additional 18 hours of continuing education supported by parcel tax revenues shall be added for each K-12 certificated bargaining unit member. These continuing education hours shall be compensated at the rate of \$40 per hour.

An additional 6 hours of continuing education supported by parcel tax revenues shall be added for each CDP teacher at a rate \$30 per hour.

Additional site-based or centralized continuing education supported by parcel tax revenues shall be compensated at the same above rate which shall also be listed in the salary schedule of the certificated contract.

The District and the Union shall consult in establishing the content and schedule for the Continuing Education process that is supported by parcel tax revenues with the goal of having continuing education decisions made at the school site and embedded into the site programs.

Paraprofessional Continuing Education:

An additional 12 hours of continuing education supported by parcel tax revenues shall be added for each paraprofessional at a rate of \$19 per hour.

Additional site-based or centralized continuing education supported by parcel tax revenues shall be compensated at the same above rate which shall also be listed in the salary schedule of the classified contract.

The District and the Union shall consult in establishing the content and schedule for the Continuing Education process that is supported by parcel tax revenues with the goal of having continuing education decisions made at the school site and embedded into the site programs.

Paraprofessional Retirement System:

The District shall contribute an additional amount to paraprofessional retirement accounts so that the total District contribution to such accounts is equivalent to the 2007-2008 employer contribution the District would otherwise pay for Social Security.

CDP Staffing Pilot Program:

The Union and the District shall support the CDP Staffing Pilot Program to regularize the staffing and increase the compensation paid to Union members working in the CDP. Upon the mutual agreement of the District and the Union, this staffing pilot Program shall be continued with the goal of making it a standard for the entire program.

Substitutes:

A total of forty (40) substitutes shall be granted the benefits offered to 160-day substitutes. Parcel tax revenues shall be used, in addition to the amount currently stated in the collective bargaining agreement, for this purpose. Effective beginning in the 2008-2009 school year, all 160-day substitutes shall be assigned to hard-to-staff schools. On any day that no hard-to-staff school assignment is available for a 160-day substitute, that 160-day substitute may select a substitute assignment at a non-hard-to-staff school for that day. A new classification shall be created for these forty (40) bargaining unit members. The District and the Union shall consult on the procedures to implement this section.

Master Teachers:

In the interest of providing a pathway for teacher leadership as well as support for selected school sites, the District and the Union agree to establish a Master Teacher program of up to fifty (50) teachers. Teachers designated as Master Teachers shall receive additional compensation in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) annually and shall be provided with 0.2 FTE release time to assist other teachers at their schools or other District-designated sites. The District shall consult with the Union in establishing the criteria and selection process for the Master Teacher Program. The District and Union shall consult on the criteria and selection process as well as the evaluation of the Program.

Hard to Staff Schools:

In recognition of the additional work teachers do beyond the school day, and in the interest of providing additional pay for additional work at hard-to-staff schools, the District shall compensate each full-time certificated staff member at a hard-to-staff school an additional Two Thousand Dollars (\$2,000.00) per school year (pro rated for part-time service). This additional work shall be self-directed time spent beyond the regular work day/work week. The District will

determine an appropriate method of reporting the time spent. The District, in consultation with the Union, may select up to twenty-five (25) schools to receive the hard-to-staff designation.

In the years that the District allocates funds for tuition credit, teachers who serve at hard-to-staff schools while still working on their credentials may receive a tuition credit stipend of up to One Thousand Dollars (\$1,000.00) per school year for each of their first three years of service. Teachers at non-hard-to-staff school sites who are still working on their credentials may also be eligible to receive this support if sufficient funding is available.

Hard to Fill Subject Areas:

In the interest of providing a skilled and qualified certificated teacher in every classroom, beginning with the 2008-2009 school year the District shall offer teachers in each of the three District-identified hard-to-fill subject areas (and up to two other areas of special need or significance that may be identified by the Superintendent) a stipend. Such stipends shall be paid on the following basis: One Thousand Dollars (\$1,000.00) at the end of the 2008-2009 school year and each school year thereafter that the subject area is identified as hard-to-fill. If the hard-to-fill designation no longer applies to a particular subject area, there shall be a two-year period before such payments are stopped.

Support for School Site Increases in Achievement:

Beginning with the 2008-2009 school year, the twenty (20) schools that show the most improvement in their API scores, or other mutually agreed upon growth measures, shall be recognized for their efforts in increasing student achievement with a school site block grant of Thirty Thousand Dollars (\$30,000.00). Distribution of the money in the block grant shall be subject to a recommendation vote by the entire school site staff, but shall be determined by the school site council. The District and the Union shall consult on the designation of the twenty (20) schools.

Teacher Support and Accountability:

- A. The District will use parcel tax revenues to increase the number of Peer Assistance and Review (PAR) coaches by no more than five. If five additional coaches are not needed, then the additional money will be redirected to certificated salaries covered by this parcel tax MOU.
- B. Recommendations to the Labor/Management Evaluation Committee that is charged with developing a new evaluation procedure for certificated personnel shall also include recommendations for changes in the PAR program. The District and the Union shall direct their appointees to the Labor/Management Evaluation Committee charged with these responsibilities to report to the Superintendent and to the President of the Union no later than One Hundred Twenty (120) working days following the passage of the parcel tax.
- C. The following changes will be made to the PAR program:
 1. Teachers who receive a "needs improvement" rating for two consecutive semesters shall be eligible to be referred to the PAR program, and shall be admitted by the mutual agreement of the Co-Chairs. If the PAR Panel Co-

Chairs fail to agree, the individual's participation in PAR shall be appealed by the Co-Chairs to the Superintendent for final determination.

2. A teacher who has exited the PAR program and subsequently receives an unsatisfactory notice may subsequently be moved to dismissal by the district in accordance with due process as provided in the Education Code. The PAR panel findings shall also be admissible in any dismissal proceedings.
3. The following essential standards are linked to the California Standards for the Teaching Profession and shall be required for teachers to demonstrate proficiency:

CSTP Essential Standards

- i. 3.2 Organize curriculum to support student understanding of subject matter based on *Content and Performance Standards and Core Curriculum*.
 - ii. 1.4 Engage students in problem solving, critical thinking and other activities that make subject matter meaningful.
 - iii. 2.4 Establish and maintain standards for student behavior.
 - iv. 2.5 Implement classroom procedures and routines that support student learning.
 - v. 5.4 Use results of assessment to guide instruction.
 - vi. 4.1 Design long-term and individual lesson plans to foster and support student learning.
 - vii. 5.5 Communicate with students and families about progress.
4. The PAR program shall be expanded to encourage additional voluntary participation based on self-reflection by teachers with Satisfactory or equivalent ratings who seek to improve their already satisfactory performance. Such self-referral shall not be subject to the PAR evaluation process.
 5. No other changes to Article 41 of the certificated contract are implied or intended.

Savings Clause:

If revenues exceed or fall below this expenditure model, the District and the Union shall meet to negotiate the use of that proportion of the revenue that has been assigned to the UESF certificated and classified units in this spending plan.

In the event that the parcel tax expires without being renewed by the voters, the salary schedules shall revert to those in effect on July 1, 2008, plus subsequent negotiated salary increases. All other economic incentives and other expenditures that use parcel tax revenues shall cease to exist effective June 30th of the year in which the parcel tax expires and is not renewed.

In the event that the parcel tax fails to pass by the necessary majority and go into effect, the provisions of this MOU shall be null and void.

For the District

Tom Ruiz 1/25/08
Debra D. H. 1/25/08
Dante Cileno 1/25/08

For the Union

Brian Kelly 3 Jan 2008
Linda Black 1/25/08
Carolyn Sandoz 1/25/08
Am. Lopez 1/25/08
Ken Ty 1/25/08

Appendix 6

Newspaper Articles

San Francisco Chronicle, City Insider, June 12, 2009

Time to sell: The San Francisco Civil Grand Jury has taken school district officials to task, saying they have been hoarding unused real estate while simultaneously taking city money to help balance the district's budget.

The report released Thursday urges the district to sell surplus property, which would add to the city's property tax revenue, helping both the city and schools.

The report suggests that it's easy to sell such property and reap huge rewards - perhaps a bit simplistic because some properties have deed restrictions.

The district does have a significant supply of surplus property and gets more than \$3 million annually from leasing some of it, money it can use at its discretion. By contrast, the sale of real estate, by state law, can be used to fund only capital projects or facility needs.

Nonetheless, the grand jury says it want to see the school district do a better job managing its assets: "The City and County of San Francisco should not allocate to the SFUSD any further 'Rainy Day' or 'Bail Out' funds until the SFUSD has sold the properties it already identified as surplus."

- Jill Tucker

This article appeared on page **B - 1** of the San Francisco Chronicle

<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/06/12/BA48185JOO.DTL>

San Francisco Chronicle, Letters to the Editor, June 17, 2009

Grand jury off the mark

On Thursday, the San Francisco Civil Grand Jury released a misleading and irresponsible report about the San Francisco Unified School District's surplus property ("Time to sell," City Insider, June 12). It shows a complete lack of understanding about the terms and conditions under which public properties can be sold as well as the current real estate climate.

Apparently, the civil grand jury wants us to hold a rummage sale of our school buildings. No responsible public institution would rush to sell long-term public assets, especially in this depressed real estate market.

Contrary to what the report suggests, money from the sale of property cannot fill the hole left by devastating state budget cuts. State law prevents school districts from using one-time revenue from property sales for general operating expenses such as teacher salaries.

The concept of a civil grand jury made up of volunteers who help monitor government agencies is valuable, but this report is extremely disappointing.

The San Francisco school district has strong credit ratings, a balanced budget and increasing enrollment and will continue to make responsible decisions to ensure both financial and academic solvency.

CARLOS GARCIA Superintendent, San Francisco Unified School District

This article appeared on page A - 10 of the San Francisco Chronicle

<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/06/16/ED7K186I5F.DTL>

The San Francisco Examiner, June 16, 2009

Letters to the Editor

"Selling SFUSD property will not stave off cuts"

The City's civil grand jury released a misleading and irresponsible report about the San Francisco Unified School District's surplus property. Apparently the jury wants us to hold a rummage sale of our school buildings. No responsible public institution would rush to sell long-term public assets, especially in this depressed real estate market.

State law also prevents one-time revenue from property sales from being used by schools for general operating expenses. Even if the school district could sell all of our surplus properties today, it would still have to draw down the exact same amount from The City's rainy-day fund to avoid laying off teachers.

SFUSD's 10-year capital plan provides a comprehensive overview of district properties. It was developed in consultation with several real estate experts and City Hall. Last year, SFUSD commissioned a study on the best possible uses of surplus properties and is currently working with a seasoned real estate firm to pursue any and all promising opportunities.

– Carlos A. Garcia, Superintendent, San Francisco Unified School District

<http://www.sfexaminer.com/opinion/letters/Selling-SFUSD-property-will-not-stave-off-cuts-48124682.html>