

Robert W. Brower

Bayside Council of PTAs

WCCUSD Candidate Questions

1. *Achievement.* There are many different kinds of students in the District in terms of achievement. To simplify things, let's say there are high-achieving, middle-achieving, and low-achieving students. How do you think the District is meeting the needs of each type of student? What changes, if any, do you think should be done to meet these needs?

Response: Before answering this question, I would like you to know that all of my answers are my own. I have prepared these answers without the help of any campaign consultant, any campaign manager, any endorser or any assistant. I am solely responsible for these answers. Now, turning my attention to your first question:

When I received teacher training many years ago, we were taught that it is a serious mistake to divide, subdivide, categorize or label our students in a way which tends to obscure or create a bias regarding their individual personalities or abilities. So I will decline your invitation to "simplify things" by dividing our students into three competitive groups. I was trained to recognize that every student who comes to school has needs. Before learning can start, every student needs breakfast. Before learning can start, every student needs to feel safe. Before learning can start, every student needs a great teacher. Before learning can start, every classroom must be an exciting environment fully supplied with the appropriate educational tools and equipment.

When all of the underlying needs are met, every student can achieve.

One of the reasons that I have decided to run for the Board relates to this question. Frequently, the Board is asked by a parent, a teacher, a coach or a community member to fulfill some need and the Board stonewalls the request. For example, a few years ago I went to the Board and told them about the immediate need for adequate pots, pans and utensils for the Cooking and Sewing classroom (Room 12) at Pinole Middle School. The nonstick surfaces of the pots and pans were worn away exposing the metal. My request for some small amount of money to correct this serious health problem was stonewalled by the Board and ignored. Recently, Coach Al told the Board he needed \$10,000 to buy lacrosse equipment for Pinole Valley High. This request was stonewalled and ignored. Instead, and without any hesitation, the Board unnecessarily squanders hundreds of thousands of dollars on legal fees paid to private attorneys in San Francisco and the East Bay and wastes hundreds of thousands of dollars on high-priced, outside consultants.

If I am elected to the Board, every request for funding brought to the Board by a parent, a teacher, a coach or a community member to fulfill some need will be referred to staff and the staff will be asked to evaluate the request and report back to me. If there isn't any good reason to deny the request, it will be funded. In a District with an adequate reserve, like ours, no valid request for funding should be ignored.

2. *Charter Schools.* In recent years, charter school applications have not been successful in the District. Do you think charter schools have a positive or a negative role to play in WCCUSD? Do you believe the District should be more accommodating to charter school applications, should be even more scrutinizing, or should maintain the current approach?

Response: In my opinion, issues of money and control trump any intelligent discourse about charter schools. Who gets the money? Who has the control?

Putting aside the inflammatory issues of money and control, I believe we can have an intelligent discussion about charter schools. Designed to operate independently, a properly run charter school can improve learning, expand and increase learning opportunities, and encourage innovative teaching by increasing teacher independence and responsibility. Ideally, charter schools should compete with public schools for students thereby forcing our public schools to improve. In my opinion, Manzanita Middle School at 32nd and Barrett in Richmond is a charter school fulfilling many of these goals.

California law specifically provides that the establishment of charter schools "should be encouraged" so that charter schools become part of the educational system.

I do not believe that it is appropriate, reasonable or fair to expect a candidate for the Board to comment on past Board decisions granting or denying charter school petitions. If I am elected to the Board, I will carefully review any charter school petition presented to me and evaluate it with the foregoing concepts as my guide.

Charter schools offer one other potential benefit to our District. When a school enters Year 5 (or Year 6) of Program Improvement under the No Child Left Behind Act of 2001, the District must restructure the school by implementing an Alternative Governance Plan. Under the law, one alternative governance option is reopening the school as a teacher-dependent charter school with the teachers in complete control of the academic program. I believe that this charter school option is better than the current pseudo-reorganization approach put into effect by former Superintendent Gloria Johnston and the Board.

3. *Equity.* Our schools are part of a society based on a significant amount of inequality, yet at the same time our schools are widely expected to reduce or eliminate the effect of the social background of students on their chances for success in life. These differences are reflected in both the individual students and in the schools in different neighborhoods. How far do you think the educational system can and should go in remedying these differences? Where do you think this District is in terms of meeting your expectations in this area? If there is a mismatch, what do you propose to do about it as a Board member?

Response: I agree with your premise that there is significant socio-economic inequality in our district and that this inequality is apparent in our different neighborhoods and their respective neighborhood schools. For example, we can readily see this disparity by comparing Kensington and Downer schools and the radically different socio-economic basis of these

two neighborhoods. The comparison is dramatic: At Kensington, most of the parents are opting out of the dress code; At Downer, most of the parents do not have money to buy the required clothes.

I disagree, however, with your statement that our schools are expected to remedy these differences. Our schools are expected to offer education and opportunity and, we hope that a good education and adequate opportunity will provide a ladder to success.

Our District has, however, lost its focus and it has become caught up in a State and Federal funding-mandated nightmare, which can be summarized in five words as "Testing, testing and more testing." As you know, the Board periodically rewards schools that have good test scores but there is no real reason to believe that learning how to take and pass a standardized test, without more, is a valid measure of success.

If I am elected to the Board, I want to work with groups, like Youth Together and Justice Matters, to widen the District's focus and develop an educational policy that is also deeply rooted in community vision. I want to increase our students' chances of climbing that ladder of success. In other words, if I am elected to the Board, I will hard work to change the limited vision that nothing matters but "Testing, testing and more testing."

4. *K-8.* Most students in WCCUSD go to middle schools for 7th and 8th grade and many for 6th grade. There is currently one K-8 school (Stewart). At the instigation of a group of parents, the Board asked for an official study involving community participation to research the desirability and feasibility of using a K-8 configuration for all or some of the elementary schools in the District. This K-8 committee recommended a pilot plan for K-8 at some schools. This plan was rejected by the Board. What do you think of this plan and, generally, what do you think of the adoption of a K-8 grade configuration for some or all the elementary schools in the District?

Response: In my view, the factual background stated in your question is not entirely correct. The Goldman School of Public Policy, University of California, not the K-8 committee, proposed the pilot plan, which you mention. The correct background facts are important to my candidacy for the Board.

We must understand that the Goldman School K-8 pilot plan was constructed on a serious, independent and significant academic foundation.

On May 3, 2006, the Board received a Power Point presentation of the Goldman School report. This presentation included the proposal that five schools, Riverside, Sheldon, Kensington, Nystrom and Lake, be converted to K-8, but these five schools were not specifically identified in the presentation to the public.

After the presentation, Jill Wolkenfeld started to speak. She made the observation that during the Goldman School of Public Policy presentation one member of the Board was in the back of the room not paying any attention to the presentation and this conduct was "disrespectful." In a direct and serious violation of the Brown Act, Jill Wolkenfeld was cut off and told to sit down. She was not allowed to complete her remarks.

Every person has the absolute right to criticize an elected governmental official's job performance. This right to comment includes a criticism that

the official has not paid attention to a serious and significant academic presentation about an important issue pending before the governmental body. Such a comment is not a personal attack; it is a comment allowed by law.

No one on the Board or the staff had the courage to object to this blatant and outrageous violation of the law. Except for Glen Price, no one on the Board demanded that Jill Wolkenfeld be allowed to finish her comments. Since the violation of the Brown Act was intentional and it resulted in the denial of someone's right to speak on the issue, it is my opinion that the Board did not properly hear the K-8 pilot plan matter.

If I am elected to the Board, I will ask that this intentional violation of the Brown Act be corrected as follows: (1) a letter from the Board apologizing to Jill Wolkenfeld for the violation of her right to speak; (2) a motion that the earlier "rejection" of the K-8 pilot plan be rescinded and declared null and void; and (3) that the matter be placed on the next Board agenda for discussion and action.

Further, if I am elected to the Board I will be courteous to every speaker, give everyone a fair opportunity to provide input about our schools, and seriously consider all parent, student, teacher and community comment.

Although I discuss Portola Middle School in my answer to your next question, I believe that the best solution for the opportunity created by the disqualification of the Portola site for a new building is: (1) making all the Portola feeder schools (Castro, Fairmont, Harding, Kensington, Madera, Stege, and Washington) K-8 if they want K-8; (2) diverting the Portola Middle School Measure "D" money (approx. \$40,000,000) to a "bumped" Measure "D" project (e.g., Kennedy High or Pinole Valley High); and (3) selling the Portola property to a developer to pay down our debt to the State.

Since Sheldon would be modified to K-8 under the proposed K-8 pilot plan, I believe it would be best to convert all the Juan Crespi feeder schools (Bayview, El Sobrante, Highland, Murphy, Olinda, Sheldon, and Valley View) to K-8 if they want K-8. Although I realize that the following idea will be very unpopular with many voters and may be politically incorrect, there are some very, very sound reasons to consider Jim Cowens' proposal that the Juan Crespi building be demolished and that a new Administration Building be constructed on that site with vehicle access from Fitzgerald Drive.

5. *Middle School Improvements.* Part of the impetus for K-8 is the idea that the District's middle schools are deficient in terms of safety and in terms of the academic program of the schools. Do you agree with this assessment? If so, what improvements do you think should be made in our middle schools?

Response: In my opinion, your question erroneously lumps all middle schools together and then demands that I categorize or label all of them as unsafe and categorize or label all of them academically deficient. There are 6 middle schools in our district, one middle high school in Hercules and all of these 7 schools are very different.

I taught at Pinole Middle School when Vera Rowsey was principal there and I can assure you that her school was safe and it's academic program more

that adequate.

I therefore cannot agree with your blanket contention about the impetus for K-8. However, based upon some very frank conversations that I have had with certain parents, I believe that the claim that at least one middle school is "unsafe" is a euphuism for diversity and therefore disingenuous.

As you know, the District has a policy that requires elementary school students to attend the school nearest to their home. As a result of this policy, the student population in each elementary school reflects the socio-economic status of its neighborhood. This difference in socio-economic status is commonly referred to in the District as "flatland" vs. "hills." Because there are "flatland" and "hills" feeder schools to certain middle schools, the student population in those middle schools is more diverse in class and race than in the feeder schools themselves and, in fact, more representative of our society as a whole. Regardless, I have been told that some parents support K-8 in order isolate the "flatlands" students, keep them in their neighborhoods, and thereby keep their children's school "safe."

There is one middle school that, in my opinion, is actually unsafe. I have taught Earth Sciences (Geology and Geophysics) in high school classes and I have personally studied the Hayward Fault Zone. As an attorney, I have worked on several significant construction defect cases that involved landslides in high landslide risk areas (like the Portola Middle School site landslide area) and building failure in the Hayward Fault Zone. Because of my background, training and experience with this particular subject and my interest in the recent disqualification of the Portola Middle School site because it is seismically unsafe, I asked the District for a copy of the Alan Kropp & Associates geotechnical report for the Portola Middle School project. I wanted to read their opinions about the safety of this site. I was refused a copy of the report on the grounds the report was secret and protected by "the attorney-client privilege."

Since the report was paid for with taxpayers' money and because it discusses the safety of a school site used by hundreds of students and the school's staff, I was surprised that the District felt it had the right to keep the report secret by asserting "the attorney-client privilege." However, I was present when a Board member questioned one WCCUSD engineer, who has read the secret Alan Kropp report, about the seismic safety of the site. Asked if he would move his office to Portola Middle school with its beautiful views of the San Francisco Bay, the engineer responded: "No."

Based upon my review of the "High Landslide Risk Areas" depicted on the February 15, 2000, Special Study Map for the City of El Cerrito and other documents concerning the Hayward Fault Zone and the geology in the vicinity of this site, and based upon my background, training and experience, I now believe that the Portola Middle School building on the upper building pad is unsafe and I believe there is a reasonable probability that the building will be unsafe in a significant earthquake on the Hayward Fault.

If I am elected to the Board, I will immediately move the new Board for an order directing the staff to produce the secret Alan Kropp report for the entire Portola Middle School community. If the report confirms that there is a reasonable probability that the school building will not be safe during a significant earthquake on the Hayward Fault, I will vote to evacuate the

Portola Middle School building and move the students and staff to a safer location. Given the number of students and staff in the building on any school day, the risk of harm in staying on that site may greatly exceed the cost of moving. Because we have an adequate reserve, we have enough money to move the students and staff and thereby reduce the risk of harm to zero. Further, I believe the administration has already developed a contingency plan to carry out this evacuation.

The current Board does not share my view. When the issue of the building's failure came up at a recent meeting, one Board member downplayed the actual risk of student injury and death by suggesting that there would be no risk to the students and staff if the earthquake occurred at night or on the weekend. Another Board member suggested that the District address the issue of this danger at Portola Middle School with a "PR" campaign.

As an aside to this safety issue, it is a complete mystery why the District and the Board considered, planned, spent and wasted more than \$3,000,000 intending to build a new middle school on the Portola site when the September 1973 Tri-Cities Study placed the site within a Critical Landslide Hazard Special Management Area and unequivocally stated that a school "should not be built" within that area.

6. *Operating Budget.* The determination of how much money can be added or should be subtracted from the operations budget (separate from bond/construction budget) will vary from year-to-year, but, for any given level of funding, decisions need be made about allocating resources. What areas do you think the District should spend more on? In what areas should funding be cut? Do you think the whole process should be overhauled? For example, should we adopt a site-based budgeting system like in Oakland?

Response: This question has a hidden false assumption and it therefore omits a fundamental truth about the budget. We do not have the freedom to allocate resources as you suggest because some of the money we receive is earmarked for special purposes, i.e., the "restricted" or categorical funds, and those funds must be spent according to State and Federal mandates. It is a very simple fact of funding. When we accept State and Federal funding, Sacramento and Washington tell us how we must spend the money. We pay a big price for this money. For example, our current District education motto, "Testing, testing and more testing," reflects State and Federal mandates.

Most of our other income, the "unrestricted" monies, must be used to pay nondiscretionary contractual obligations, e.g., salaries and benefits, and underfunded categorical programs, e.g., special education. So for this question, we must accept that there is just a very, very small piece of the budget pie for discretionary spending.

If I am elected to the Board, I am committed to working very hard to stopping the wasteful and necessary spending of hundreds of thousands of dollars on legal fees paid to private attorneys in San Francisco and the East Bay and the waste of hundreds of thousands of dollars on high-priced, outside consultants.

One of the reasons that triggered my decision to run for the Board relates to the almost \$500,000 the District and the Board wasted by stonewalling

some students' claim that the District's disciplinary process violated State law. The background facts are simple and straightforward. In 1999, a small, nonprofit, public interest law firm, Legal Services for Children, notified the District that the Education Code did not allow Assistant Superintendent Sylvester Greenwood's policy of disciplining students with "involuntary" transfers for "social readjustment." In addition, the students' lawyers pointed out that the one-sided hearings conducted by Assistant Superintendent Sylvester Greenwood were unconstitutional. In other words, the lawyers asserted that our students had certain rights under the law and that the District was illegally violating these rights.

Fifteen minutes of legal research would have shown that the lawyers with Legal Services for Children were correct and that the District's disciplinary process was illegal. Instead of promptly resolving this matter for \$0.00, the District stonewalled the claim. The same issue arose in 2000, 2001, 2002, 2003, 2004 and 2005 and the District stonewalled, presumably hoping this small, nonprofit, public interest law firm would not have the resources to litigate against our District's big-money private law firms and give up.

Instead of giving up, Legal Services for Children decided to partner with Gibson, Dunn & Crutcher, a large and well-financed litigation firm in Palo Alto. The students' Complaint against the District and Assistant Superintendent Sylvester Greenwood was filed on May 6, 2005. The District ultimately conceded that its disciplinary policy was illegal and that over the years it had violated many, many students' rights. Judgment was entered against the District on April 7, 2006.

So instead of resolving this matter in 1999 for \$0.00, it cost the District about \$500,000 to settle it in 2006. First, the District agreed to pay the students' lawyers \$146,136.50 for their legal fees. Second, the District agreed to set aside \$75,000 to pay an independent monitor (Emeryville's State Trustee, John Quinn) to oversee our disciplinary process and periodically confirm that we were complying with the law. Third, the District agreed to set aside another \$75,000 to pay for tutors for students who missed classes as a result of Assistant Superintendent Sylvester Greenwood's illegal practice of keeping students out of class for long periods of time. Finally, the District incurred legal fees for its private attorney from San Ramon in an amount, I suspect, equal to or more than the \$146,136.50 paid to the students' lawyers.

If I am elected to the Board, I have a good plan to stop this unnecessary and wasteful spending on private attorneys, redirecting all of this money to our schools.

7. Proper Role of School Board.

- a. The School Board is an elected body of part-time trustees who have no dedicated staff except a Counsel. It operates subject to State authority and under a Fiscal Trustee who still has a budgetary veto. It also has a Superintendent reporting to it who manages most of the business of the District. It's always possible to go too far in either the direction of micromanagement or the opposite direction of negligence. How would you characterize the proper level of involvement for the Board in the running of the District and do you

think the current Board is at that level?

Response: The District has a \$259,000,000 operating budget and the district is rebuilding and renovating schools under a \$1,000,000,000+ Bond program. Most of the issues facing the Board are very complex. The time required to study the underlying facts and gather the necessary data in order to ask intelligent questions and make informed decisions dictate that candidates be willing to work as full-time trustees.

In my opinion, part-time trustees do not have enough time to be independent and effective. Because they work full-time, part-time trustees are left to rubber-stamping decisions of the staff.

If I am elected to the Board, I will work as a full-time trustee.

There is no doubt that the current Board is very hard working but as Glen Price told the West County Times, "it's time for new energy and new blood to come in and take things to the next level."

- b. The School Board often takes positions on different general education issues like State propositions. Recently the Board considered granting diplomas to students who did not pass the State-required High School Exit Exam. Would you have voted for this act of opposition to the State if you disagreed with the High School Exit Exam itself? In general, how much should the Board be involved in advocacy over education issues?

Response: I have to disagree with your statement of the facts. I do not recall the Board considering granting diplomas to students who did not pass the California High School Exit Exam. Instead, on May 3, 2006, the Board considered a motion that would have authorized pro bono counsel to file a joinder and intervene on behalf of the students in *Valenzuela v. O'Connell*, a case brought to test the validity of the California High School Exit Exam. Filing a joinder and intervening on behalf of the students in their case was not exactly a dramatic "act of opposition to the State."

There were only two votes in favor of the motion (Glen Price and Dave Brown) and the motion failed.

If I had been on the Board with the right to vote on the motion, I would have voted with Glen Price and Dave Brown authorizing the joinder and intervention.

In general, a Board member should be an actively involved and determined advocate for education. Board members must be in the front of the march for education, demonstrating leadership and courage.

8. *Role of Teachers.* One of the recent controversies in the District involved a group of mostly experienced teachers known as the "Downer 5" who were disciplined (including forcible transfers and reprimands) after they expressed their opposition to how certain changes in teaching practices were being implemented. These teaching practices involved using a much more scripted closely regulated approach overseen by District mentors. What do you think the Board should do, if anything, to ensure that teachers

are not being disciplined for their opinions about policies at their schools? Also, how much control should teachers have over how they teach in their classrooms and how much oversight should there be?

Response: I am glad you asked this question. First, I believe that your question raises a very serious issue about our dysfunctional Human Resources Department and whether there is anyone in the Human Resources Department or in the Administration who understands the duties and obligations a school district owes to students in a Title I school. Second, your question raises a very serious issue about the Board's failure to investigate and correct a serious violation of every Downer student's right to have a highly qualified teacher in their classroom.

The background facts are important to my answer to this question.

Downer Elementary is a Title I school. Located at 1777 Sanford Avenue in San Pablo, Downer serves a neighborhood of poor and educationally disadvantaged families and their children. 90% of Downer's students are considered socio-economic disadvantaged and virtually all of these students are Hispanic/Latino.

As students in a Title I school, Downer's students are entitled, under Federal law, to "highly qualified teachers," i.e., our best and our brightest teachers. Because teachers at a Title I school must be highly qualified, the law gives them "greater decision-making authority and flexibility . . . in exchange for greater responsibility for student performance."

In October 2005, Elizabeth Jaeger, Lina Prairie, Eduardo Martinez, Mike McDonald, and Thomas Prather were five very experienced, very dedicated, and very highly qualified teachers working at Downer Elementary. At that time, I believe, Downer was in its third year of Program Improvement under the No Child Left Behind law. In addition, Downer was subject to the staffing requirements of the settlement agreement in *Eliezer Williams v. State of California*, a landmark students' rights case in which the District participated as a party.

These five great teachers were very concerned about administration demands that they considered counterproductive to their goal of teaching their students. To begin a dialogue with their fellow teachers at Downer, the teachers prepared a letter expressing their concerns and left copies of it in the Teachers' Room for other teachers to read. One copy was given to the Downer principal and, after it was sent to Human Resources, a single reprimand letter was given to each teacher with a copy placed in each teacher's permanent personnel file.

We must put aside the issue of the teachers' letter and the District's reprimand letter because it was the Human Resources Department's next bizarre move that shook the Downer community and is the focus of my response. The two women teachers, Elizabeth Jaeger and Lina Prairie, were singled out and given mid-year transfers out of Downer Elementary.

It is very difficult to adequately describe to you the pure insanity of this "punishment" because the entire education community in this country operates on the premise that we want to transfer highly qualified teachers into Title I schools. Because we desperately need highly qualified teachers in our highest poverty schools, those schools serving limited English proficient and disadvantaged children, no sane person would ever entertain the idea: "We will punish these two very highly qualified women teachers

by transferring them out of Downer.”

The message of this insanity was clear to all the Downer teachers: Try to start a discussion about constructive changes for your students’ education and you will be transferred out of Downer.

In a November 29, 2005, letter sent to each Board member, Richmond City Councilmember, Gayle McLaughlin, asked the Board to intervene. She asked that the District reconsider and rescind these two transfers. The District and the Board, however, did nothing.

Meanwhile, the two women singled out for mid-year transfers, Elizabeth Jaeger and Lina Prairie, filed claims of discrimination with the EEOC. Their case seemed too obvious. So, as a defense and in an apparent preemptive strike to defeat their claims of discrimination, the Human Resources Department made all things equal by involuntarily transferring the three very highly qualified men teachers, Eduardo Martinez, Mike McDonald, and Thomas Prather, at the end of the school year.

Where do we stand today? One very highly qualified teacher has resigned and taken a position in Oakland. Another has taken a sabbatical and gone back to school to obtain a higher degree. The remaining three teachers are still with the District, but only one teaches in a Title I school.

If I am elected to the Board, I will work very hard to convince the new Board to correct the harm the District inflicted on these teachers and their students at Downer.

As an aside, Eduardo Martinez recently asked the Board to consider hosting a symposium for an open discussion about the direction our District has taken with Open Court and, presumably, the Reading First program. Consistent with their policy of ignoring speakers at Board meetings, the Board did nothing in response to this suggestion.

9. *Safety and Order.* Everyone would probably agree that schools should be places where everyone should be safe from physical threats and where education can proceed in a reasonably orderly fashion in the classroom, in the hallways, and throughout the school and school grounds. Do you think WCCUSD schools are safe and orderly? If not, what do you think should be done to make them safer and more orderly?

Response: The preceding question No. 5 about “unsafe” middle schools and this question make me feel that you want me to answer that all district schools are unsafe. I won’t take the bait.

I taught at DeAnza High School when Dave Moss was principal there. Although some consider the school “unsafe,” I never felt that DeAnza was unsafe. My only concern, which was held by many others, was the difficulty in rapidly identifying non-student troublemakers who did not belong on the campus. ID’s and distinctive school specific lanyards have addressed that problem.

Regarding DeAnza, off-campus sales of drugs by dealers who drive up and sell from a car window and the close proximity of a liquor store that deals in Blunt-making supplies (A&J Market at the corner of Valley View and San Pablo Dam Road), present difficult problems for the District to solve. Further complicating the situation, the local Deputy Sheriffs do not have any incentive to work on these problems.

Some schools, like Nystrom, are in dangerous neighborhoods. The District's response to the recent drive-by, drug-dealer gun battle on Harbor Way South was, in my opinion, insufficient. If I am elected to the Board, I will try and partner with Richmond City officials and work out an arrangement to close Harbor Way South during school hours. Closing the street would cause serious inconvenience but it would send a clear message to Nystrom students, parents and staff, and the entire District, community that the District's first and highest priority is insuring student and staff safety. It would also send a message to the gun-dueling drive-by drug dealers, "Not at this school!"

10. *School Building Program.* WCCUSD is in the midst of the second largest school construction program in the State. How successful do you think the program has been? Are there any changes in approach you would make for the program? Are you satisfied with the roles that have been played by the Board, the staff, the Facilities Subcommittee, and the Bond Oversight Committee?

Response: The staff and its consultants have made some design mistakes in the new elementary schools. But they learn from these mistakes and the Master Elementary School Educational Specification is corrected and updated. Subsequent schools benefit from this expensive learning curve.

There can be monumental mistakes. As I stated in my answer to question No. 5, above, it is a complete mystery why the District and the Board considered, planned, spent and wasted more than \$3,000,000 intending to build a new middle school on the Portola site when the September 1973 Tri-Cities Study placed the site within a Critical Landslide Hazard Special Management Area and unequivocally stated that a school "should not be built" within that area.

In order to understand my answer to this question as it relates to the Bond program, we need to briefly review some history. Measure M passed in November 2000 with 77.5% of the vote. Measure D passed in March 2002 with 72% of the vote. Measure J passed in November 2005 with 56.6% of the vote.

The total margin of approval for Measure J was 979 votes. Hercules voted against Measure J; Pinole voted against Measure J. Board President Charles Ramsey with the assistance of the architects, contractors, suppliers and building trades unions raised over \$300,000 to pass Measure J and they brought in El Cerrito with enough extra votes to overcome the deficits in Hercules and Pinole.

From this history and from my conversations with voters, I sense an increased lack of public confidence in our Bond program and I doubt another bond measure would pass today.

Several factors contribute to this lack of confidence.

First, voters have seen that projects are "bumped" from measure to measure. For example, De Anza High was a Measure D project and it was bumped to Measure J for funding. As a result of bumping De Anza, a \$135,000,000+ project, to Measure J, there will be no money for some Measure J schools on the list. For more than one community, the Board's promise of a new school under Measure J will be broken.

Second, voters have seen that there is no incentive to stay within budget. For example, there was a budget for El Cerrito High. Then there was an adjusted budget. The Board then approved the construction for an amount \$7.5 million over the adjusted budget.

Third, as a result of your posting the campaign contribution reports on your election web page, the voters will know that last June, several architects in the Bond program donated large amounts of money to insure that Bond Oversight Committee member Madeline Kronenberg gets elected to the Board. At the Board meeting of September 6, 2006, Glen Price warned that acceptance of large amounts of money from vendors seriously erodes voters' confidence in the Bond program, but Mrs. Kronenberg has not resigned from the Oversight Committee or withdrawn her candidacy for the Board.

Fourth, Anton Jungherr, a former San Francisco Deputy Superintendent of Schools and a former member of the Bond Oversight Committee is running an aggressive campaign pointing out serious defects in the Bond program. For example, he claims that Total Schools Solutions, the independent performance auditor for the bond program, has a conflict of interest and that the independent performance audit of the Bond program will be deficient and/or corrupt.

I am not taking any money or asking for any support or endorsement from any person or company associated in any way with the Bond program. If I am elected to the Board, I will work very hard to restore the voters' confidence in the Bond program with the hope that our voters will agree to provide the necessary funding to finish the reconstruction program for our schools.

11. *Uniforms.* In the past, individual schools within the District have been allowed to adopt mandatory school uniforms. Only a few had done this. For this year, mandatory school uniforms have been extended by the Board to all elementary and middle schools in the District. Do you approve of this change, do you want a return to the previous school "opt-in" system, or do you support some modification like extending uniforms further to high schools or establishing a school "opt-out" procedure?

Response: First, I hate to be the person to burst the bubble and point out that we do not have a mandatory school uniform policy. We have a very liberal dress code. There is so much variability in our dress code that we can confidently say that WCCUSD students don't wear uniforms. And, as an aside, I recently visited a classroom and everyone was very nicely dressed for school except for one person in the room, the teacher. If I am elected to the Board, I will ask the teachers' union to ask their members to "opt-in" to the dress code by wearing something neat and clean to school.

It is very easy to Monday morning quarterback on this issue, but, in retrospect, I think the District should have phased in the dress code slowly, school by school, instead of this crazy rush to "uniformity."

And I must candidly say to the voters committed to abolish the dress code, that in the greater scheme of things, if I am elected to the Board, I will not give dress code issues very high priority. It's just triage – treat the serious injuries first and let the minor complaints wait.

12. **Additional Issue.** There are many more issues for this District, but we need to stop somewhere. Please address one question that you feel was left out that you think is important.

Administration Skimming Off the Top and Outside Consultants.

The District expects to receive supplemental funds, "new money," including, but not limited to, \$2,402,026 for Art, Music, and PE equipment, \$956,080 to expand existing 7-12th grade counseling, and \$1,820,000 to give to site councils for instructional materials, classroom supplies, educational technology and deferred maintenance. I understand that the District's usual and typical approach would be to take a percentage of these monies for "administration" and then take away much more money to hire outside consultants to conduct surveys, studies and make reports about what our schools need and how our schools should spent their money. Under the usual and typical District approach, we would need one consultant to determine which school needs, for example, a tuba, and another consultant to find a place to buy it.

If I am elected to the Board, I will work hard to make sure that all of this new money goes to our schools and none to the Administration and its outside consultants.

Return to charley@cowens.net by September 23d.