



METROPOLITAN EDUCATION DISTRICT
 760 Hillsdale Avenue
 San Jose, California 95136

March 13, 2013
Governing Board Meeting Agenda

If you would like to address the Board on any item on this agenda, please complete the **Request of Visitors** form located near the entrance of the meeting room and hand it to the Superintendent. On the form, please list the agenda item(s) you would like to speak to. When your name is called, please come to the podium, state your name and address for the record, and limit your remarks to two minutes. Those speaking on items **not** on the agenda will be recognized by the Chair under **Public Comments**. The Board shall limit the total time for public input on each item to 20 minutes (BB 9323).

Special Accommodations

Individuals who require special accommodation should contact the Superintendent's Office at (408) 723-6464 at least two business days before the meeting date.

MetroED Governing Board Meetings are tape recorded (audio only).

This agenda and approved minutes of Board meetings may be viewed and printed from the Internet: www.metroed.net

REGULAR MEETING

Date: March 13, 2013

Time: 6:00 p.m.

LOCATION

CCOC Auditorium
 760 Hillsdale Avenue
 San Jose, CA 95136

I. CALL TO ORDER/ROLL CALL

(Richard Garcia)

Daniel Bobay
 Matthew Dean
 J. Manuel Herrera

Jim Canova
 Richard Garcia
 Katherine Tseng (Alt.)

II. DISCLOSURE OF "CLOSED SESSION" DISCUSSION ITEMS

All meetings of the Governing Board are open to the general public, with the exception of those items which are specifically exempt under the Ralph M. Brown Act.

A. Conference with Labor Negotiator Pursuant to Government Code: 54957.6(f)

District Negotiator

- Tom Mullin

Employee Organizations

- AFT
- CSEA
- CTA
- Unrepresented Employees

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code 54954.2(a) and .3) preclude any action. As an unagendized item, no response is required from the Board or District Staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name and address for the record, and limit your remarks to two minutes for individuals or five minutes for a group.

III. PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS

IV. ADJOURN TO CLOSED SESSION

Time: 6:02 pm
Location: CCOC, RM 819

V. REGULAR MEETING
Reconvene from Closed Session

Time: 7:00 p.m.
Location: CCOC Auditorium

VI. REPORT OF CLOSED SESSION ACTIONS (Richard Garcia)

VII. PLEDGE OF ALLEGIANCE (Richard Garcia)

VIII. ADOPT AGENDA (Richard Garcia)

IX. RECOGNITIONS (Richard Garcia)

- A. Acknowledgement of Visitors
- B. Acknowledgement of Honors and Awards
 - Recognition of Individuals who have "Raised the Bar!"

X. STUDENT REPORTS (5 Minute limitation) (Richard Garcia)

- A. CCOC Student
- B. MAEP Student

XI. SPECIAL ORDER OF BUSINESS (Paul Hay)

The Superintendent will update the Board on special projects or may request that individuals be allowed to present an item out of order on the agenda to accommodate their schedules.

XII. PUBLIC COMMENTS

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code 54954.2(a) and .3) preclude any action. As an unagendized item, no response is required from the Board or District Staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name and address for the record, and limit your remarks to two minutes for individuals or five minutes for a group.

XIII. APPROVAL OF MINUTES (Richard Garcia)

1. Action Item: [Approval of Minutes](#) from the Regular Board Meeting of February 13, 2013.

XIV. CONSENT/ACTION CALENDAR (ACTION)

All matters listed under the Consent/Action Calendar and marked with an *asterisk are considered by the Governing Board to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion, unless members of the Board or the Superintendent request specific items to be discussed and/or removed from the Consent Calendar.

Recommendation: The Superintendent recommends approval of Consent Calendar items *2 through *18.

BUSINESS AND FINANCIAL FUNCTIONS

- *2. **Action Item: [Approve February](#) Warrants Approval List (Keiko Mizuno)**
Recommendation: That the Governing Board approve the Board Warrant Approval List as presented.
- *3. **Action Item: [Donation](#) Offered to District (Keiko Mizuno)**
Recommendation: That the Governing Board accept the donation on behalf of the District.
- *4. **Action Item: [Approval of MetroED](#) Funding Agreement for 2013-14: Campbell Union High School District (Paul Hay)**
Recommendation: That the Governing Board approve the Funding Agreement for 2013-14 between Campbell Union High School District and MetroED.
- *5. **Action Item: [Approval of MetroED](#) Funding Agreement for 2013-14: Milpitas Unified School District (Paul Hay)**
Recommendation: That the Governing Board approve the Funding Agreement for 2013-14 between Milpitas Unified School District and MetroED.
- *6. **Action Item: [Approval of MetroED](#) Master Business Relationship Agreement for 2012-13 and 2013-14: East Side Union High School District (Paul Hay)**
Recommendation: That the Governing Board approve the Master Business Relationship Agreement for 2012-13 and 2013-14 between East Side Union High School District and MetroED.
- *7. **Action Item: [Approval of MetroED](#) Funding Agreement for 2013-14: Santa Clara Unified School District (Paul Hay)**
Recommendation: That the Governing Board approve the Funding Agreement for 2013-between Santa Clara Unified School District and MetroED.
- *8. **Action Item: [Approval of MetroED's Comprehensive School](#) Safety Plan (Scott Hall)**
Recommendation: That the Governing Board approve the revised MetroED Comprehensive School Safety Plan.
- *9. **Action Item: [Approve Change Order #01](#) to agreement for Professional Inspection and Testing Services, Proposition 1D Fire Tower Prop Construction, HP Inspections, Inc-\$2,749.50 (Paul Hay)**
Recommendation: That the Governing Board approve Change Order #01 to the Agreement for Professional Services with HP Inspections, Inc.
- *10. **Action Item: [Quarterly Investment](#) Report as of 12/31/2012 (Keiko Mizuno)**
Recommendation: That the Governing Board approve the revised MetroED Board Investment Report.

- *11. **Action Item:** [Change Orders #007](#), CCOC Building 300 Building Arts Project, Coulter Construction, Inc-\$44,570 (Debbie Fry)

Recommendation: That the Governing Board approve Change Order #007 in the amount of \$44,570 between MetroED and Coulter Construction.

PERSONNEL FUNCTIONS

- *12. **Action Item:** [Administrative Personnel](#) (Tom Mullin)

Recommendation: That the Governing Board approve one new hire.

- *13. **Action Item:** [Approve Revised Confidential](#) Job Description: **Communication Specialist to Executive Assistant/CBO & Public Information Officer** (Tom Mullin)

Recommendation: That the Governing Board approve the revised Confidential Job description for the position of Communication Specialist being revised to Executive Assistant/CBO and Public Information Officer.

- *14. **Action Item:** [Classified Personnel](#) (Tom Mullin)

Recommendation: That the Governing Board approve one reclassification.

- *15. **Action Item:** [CalPERS Election Officer](#) (Tom Mullin)

Recommendation: That the Governing Board approve Kim Fields as the District's CalPERS Election Officer.

- *16. **Action Item:** [Approve the Seniority Lists](#) for **Certificated Teachers and Classified Employees** (Tom Mullin)

Recommendation: That the Board approve the seniority lists for the certificated teachers and classified employees.

- *17. **Action Item:** [Central County Occupational Agency](#) Teachers Associations-CTA-Sunshine Proposals for 2012-13 (Tom Mullin)

Recommendation: That the Board review and make public (sunshine) the Central County Occupational Agency Teachers Associations (CTA) proposal.

INSTRUCTIONAL AND STUDENT FUNCTIONS

- *18. **Action Item:** [CalWORKs: Agreement](#) for Summer School, MAEP (Suzi Glass)

Recommendation: That the Governing Board approve the agreement between CalWORKs and MetroED for summer school classes at MAEP.

END OF CONSENT ITEMS

XV. INFORMATION ITEMS

19. **Information Item:** [First Reading: Board Policies](#); Tri-Annual Update (Paul Hay)

Recommendation: That the Governing Board approve the revised policies and recommend that they go to the April 17 Board meeting for final review and adoption.

END OF INFORMATION ITEMS

XVI. ACTION ITEMS AND REPORTS

BOARD AND ADMINISTRATIVE FUNCTIONS

20. **Action Item: [Approve Resolution #20-03-13-13](#), Support Retaining Adult Education in K-12 (Paul Hay)**

Recommendation: That the Governing Board adopt Resolution #20-03-13-13.

21. **Action Item: [Legislative Update; Adopt Resolution #21-03-13-13](#); Approve Positions on State Legislative Bills (Paul Hay)**

Recommendation: That the Governing Board the Governing Board 1) Adopt Resolution #21-03-13-13 Opposing Inclusion of ROCP Funding in the Governor's School Finance Report Proposal, and; 2) Approve MetroED positions on legislative bills as noted above.

BUSINESS AND FINANCIAL FUNCTIONS

22. **Action Item: [Second Interim Financial Report](#), Fiscal Year 2012-13 (Debbie Fry)**

Recommendation: That the Governing Board accept the Second Interim Report and instruct the Board President and District to submit a positive certification to the County Superintendent of Schools.

23. **Action Item: [Resolution #16-03-13-13](#) Authorizing Designated Management Personnel to sign Orders Drawn Upon the Funds of the District for the FY 2012-13 (Debbie Fry)**

Recommendation: That the Governing Board approve the Resolution #16-03-13-13 authorizing the designated District employees to sign orders drawn upon the funds of the District effective March 14, 2013.

24. **Action Item: [Resolution #17-03-13-13](#) Authorizing Designated Management Personnel to Appoint a Representative and Alternate to South Bay Area Schools Insurance Authority (Debbie Fry)**

Recommendation: That the Governing Board approve the Resolution #17-03-13-13 to appoint a representative and an alternate for the South Bay Area Schools Insurance Authority, effective March 14, 2013.

25. **Action Item: [Resolution #18-03-13-13](#) Authorizing Designated Management Personnel to Sign Official Electronic Funds Transfer Forms of the District for FY 2012-13 (Debbie Fry)**

Recommendation: That the Governing Board approve the Resolution #18-03-13-13 authorizing the specified individuals to sign all official electronic fund transfer forms on behalf of the District, effective March 14, 2013, and authorize the filing of said signatures with the County Controller's Office.

26. **Action Item:** [Resolution #19-03-13-13](#) Authorizing Designated Management Personnel to Sign Forms and Documents for State School Facilities Program (Debbie Fry)

Recommendation: That the Governing Board approve the Resolution #19-03-13-13 authorizing the specified individuals to sign all state construction related forms and documents on behalf of the District, effective March 14, 2013.

PERSONNEL FUNCTIONS

27. **Action Item:** [Approve Resolution #11-03-13-13](#), Resolution to Release/Non-Reelect Temporary Certificated Employees (Tom Mullin)

Recommendation: That the Governing Board approve resolution #11-03-13-13 releasing 4.46 FTE temporary certificated employees.

28. **Action Item:** [Approve Resolution #12-03-13-13](#), Establishment of Criteria for Order of Layoff and Reemployment Following Layoff for Employees with equal Seniority (Tom Mullin)

Recommendation: That the Governing Board approve resolution #12-03-13-13 to adopt the tiebreaking criteria.

29. **Action Item:** [Approve Resolution #13-03-13-13](#), Reduce or Eliminate Certificated Positions (Tom Mullin)

Recommendation: That the Governing Board approve resolution #13-03-13-13 to eliminate the equivalent of 30.15 certificated teacher positions and 6.62 FTE certificated administrative positions.

30. **Action Item:** [Approve Resolution #14-03-13-13](#), Resolution for Reduction or Elimination of Classified Workforce (Tom Mullin)

Recommendation: That the Governing Board approve resolution #14-03-13-13 to eliminate the equivalent of 25.50 FTE classified positions.

31. **Action Item:** [Approve Resolution #15-03-13-13](#), Resolution to Release certificated Administrators From Assignment (Tom Mullin)

Recommendation: That the Governing Board approve resolution #15-03-13-13 to release 10.02 FTE certificated administrators from their assignments.

32. **Action Item:** [Management's Initial Proposal](#) to Central County Occupational Agency Teachers Association (CTA) Sunshine Proposals for 2012-13 (Tom Mullin)

Recommendation: That the Governing Board review and make public ("sunshine") the Management's initial proposal to Central County Occupational Agency Teachers Association (CTA).

33. **Action Item:** [Public Hearing: Management's Initial Proposal to San Jose Federation of Teachers \(AFT\) Sunshine Proposals for 2012-13 \(Tom Mullin\)](#)

Public Hearing Open

Recommendation: That the Governing Board hold a public hearing to accept comments regarding the proposed adoption of the Initial Proposal for Successor Contract from MetroED to San Jose Federation of Teachers (AFT).

Public Hearing Closed

INSTRUCTIONAL AND STUDENT FUNCTIONS

--None--

XVII. EXECUTIVE REPORT/ADMINISTRATIVE REPORTS

Superintendent Paul Hay and the MAEP and CCOC Program Directors will have recent **significant** information to present to the Governing Board on topics not on the agenda. (3 Minute limitation)

- Oral Report: MAEP Principal Suzi Glass
- Oral Report: CCOC Director John Fox
- Oral Report: MetroED Superintendent Paul Hay

XVIII. BOARD COMMENTS

(Richard Garcia)

Individual Board members may report on: visits to schools, programs, conferences, meetings attended and/or items of interest to the public. A board member may wish to express a concern or observation about a topic not appearing on the agenda, or request items to be scheduled on a future agenda.

XIX. OTHER MEETINGS

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|--------------------------------------|--------------------------------|--------------------|
| Special Meeting, March 20, 2013 | Closed Session | 6:00 pm |
| Special Meeting, March 29 & 30, 2013 | Closed Session | Times TBA |
| Regular Meeting, April 17, 2013 | Closed Session Open Session | 6:00 pm 7:00 pm |

XX. ADJOURNMENT

(Richard Garcia)

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