

# METROPOLITAN EDUCATION DISTRICT

Governing Board Meeting Minutes  
June 10, 2009

## I. CALL TO ORDER/ROLL CALL

The open session of the regular meeting of the Governing Board of the Metropolitan Education District was called to order by President Garcia at 6:00 p.m., Room 810 at the Central County Occupational Center, 760 Hillsdale Avenue, San Jose, CA 95136.

All Members present, except when noted "absent:

Frank Biehl	East Side Union High School District
Jim Canova	Santa Clara Unified School District
Cynthia Chang	Los Gatos-Saratoga Union High School District
Richard Garcia	San Jose Unified School District
Diane Gordon	Campbell Union High School District
Marsha Grilli	Milpitas Unified School District

## II. DISCLOSURE OF "CLOSED SESSION" DISCUSSION ITEMS

Items to be discussed in closed session are disclosed on the Board meeting agenda.

## III. PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS

None

## IV. ADJOURN TO CLOSED SESSION

Board adjourned to closed session in Room 810 at 6:02 p.m.

## V. REGULAR MEETING (continued)

President Garcia reconvened the regular session of the Board meeting in the CCOC Auditorium at 7:05 p.m.

## VI. REPORT OF CLOSED SESSION ACTIONS

President Garcia asked Superintendent Hay to report on the action taken in closed session.

Superintendent Hay: In closed session today, in response to the Governor's proposal to eliminate funding for certain categorical programs for 2009-10, the MetroED Board unanimously approved a motion to authorize the Superintendent to release those categorically funded employees pursuant to Education Code 44909.

## VII. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Garcia.

## VIII. ADOPT AGENDA

**MOTION:** It was moved to adopt the agenda as submitted. M/Chang, S/Biehl, Vote: 6 Ayes

## IX. RECOGNITIONS

1. Acknowledgement of Visitors
2. Acknowledgement of Honors and Awards
  - Recognition of Individuals who have "Raised the Bar!"
    - Superintendent Hay recognized Sara Crowder, CCOC WASC Co-Coordinator and 2008-2009 MetroED Teacher of the Year and Pat Campbell, CCOC WASC Co-Coordinator.

- o Superintendent Hay recognized Mery Cheung, MetroED Classified Employee of the Year and presented a certificate of recognition to Dorian Del Conte for being nominated as well as Barbara Barfield, who was unable to attend.

**X. STUDENT REPORTS**

- A. CCOC Student: None
- B. MAEP Student: None

**XI. SPECIAL ORDER OF BUSINESS** None

**XII. PUBLIC COMMENTS** None

**XIII. APPROVAL OF MINUTES**

- 1. **MOTION:** It was moved to Minutes of Regular Board Meeting on May 13, 2009 and Special Board Meetings on May 9 and 19, 2009. M/Biehl, S/Gordon, Vote: 6 Ayes

**XIV. CONSENT CALENDAR**

**MOTION:** It was moved to approve Consent Items \*2 through \*12 with the removal of Items \*5 and \*8 per the request of Member Gordon. M/Biehl, S/Chang, Vote: 6 Ayes

**BUSINESS AND FINANCIAL FUNCTIONS**

**\*2. Consent Item: Approve Monthly Warrant List**

The Governing Board approved the following warrant registers: #62002078-#62002137, dated May 1, 2009; #62002138-#62002184, dated May 5, 2009; #62002185-#62002229, dated May 7, 2009; #62002230-#62002256, dated May 11, 2009; #62002257-#62002298, dated May 14, 2009; #62002299-#62002350, dated May 19, 2009; #62002351-#62002388, dated May 21, 2009; #62002389-#62002455, dated May 27, 2009; #62002456, dated May 28, 2009; #62002457-#62002493, dated May 29, 2009.

**\*3. Consent Item: Proposition 1D Loan Agreements: MetroED with State of California**

The Governing Board authorized the Superintendent to execute the three loan agreements with the State of California with an effective date of December 10, 2008 in the following amounts: \$919,806, \$661,040, and \$479,605.

**\*4. Consent Item: Approve Agreement for Fiscal Budget Services (School Services of California; \$2,220)**

The Governing Board approved the agreement with School Services of California, Inc. in the amount of \$2,220 plus actual expenses.

**5. Approve Engagement Letter for Legal Services with Miller Starr Regalia (Robin Kennedy)**

**MOTION:** It was moved to approve the Engagement Letter for Legal Services with the law firm of Miller Starr Regalia. M/Chang, S/Gordon, Vote: 6 Ayes

Member Gordon: She stated she did not disagree with the recommendation of the Superintendent; however, it was important to her that one of the criteria when using new vendors that MetroED try to support vendors in our communities if we expect our communities to support us when it makes sense. Obviously, MetroED has a long history with this vendor and it appears we are going to get a reduced rate.

Member Chang: She noted this firm was in Palo Alto and in terms of the rate, is it similar to other rates.

Superintendent Hay: Robin Kennedy represented MetroED for several years in the real estate issues primarily related to the property adjacent to the Hillsdale campus leased by the Capitol Mall Auto Dealers. Ms. Kennedy had left Miller Starr Regalia approximately a year ago and recently decided to return and the rates are reasonable. There are no current issues regarding the property leases; however, it is important to have legal representation that understands the property leases when needed.

## PERSONNEL FUNCTIONS

**\*6. Consent Item: Classified Personnel**

The Governing Board approved the assignment transfers, resignation, retirement, grant ended assignments, layoffs, and assignment reductions listed in the board packet.

**\*7. Consent Item: Administrative Personnel**

The Governing Board approved the one regular election listed in the board packet

## INSTRUCTIONAL AND STUDENT FUNCTIONS.

**8. Approve Agreement with San Jose Job Corps to Provide Summer School Classes at CCOC**

**MOTION:** It was moved to approve the agreement between San Jose Job Corps and Metropolitan Education District for 2009 Summer School Classes at the Central County Occupational Center. M/Gordon, S/Chang, Vote: 6 Ayes

Member Gordon: She stated she did not disagree with the recommendation of the Superintendent; however, requested rationale for continuing these classes, including HVAC, when all the other summer school classes have been canceled.

CCOC Director John Fox: San Jose Job Corps has been an excellent partner with MetroED and an agreement was worked out for them to pay custodial fees, indirect costs, teacher salaries, etc. to allow for classes for their students this summer. John Tawney will be supervising the HVAC class over a six week period this summer for approximately 30 interns (unpaid) that will receive class credit and assist with summer CCOC preventative maintenance projects. This will save the district considerable money.

**\*9. Consent Item: CCOC/P Cosmetology Agreements for 2009-2010**

The Governing Board approved the cosmetology agreements with the five named Cosmetology Schools for the 2009-2010 school year for high school students to complete their individual programs.

**\*10. Consent Item: Community Classroom Agreements**

The Governing Board approved the agreement to provide on-the-job clinical training to CCOC medical students.

**\*11. Consent Item: ROC/P Course Review and Recertification**

The Governing Board reviewed the information regarding the following ROCP courses: Animation; Fire Science/First Responder; Forensic Investigation; Graphic Design; and Multimedia Design; and approve the courses for ROCP recertification.

\*12. **Consent Item: Approve Agreement with Campbell Union Elementary District**

The Governing Board approved the Agreement with Campbell Union Elementary District for the period of July 1, 2009 to June 30, 2010.

**XV. INFORMATION ITEMS**

13. **Information Item: First Reading: BB9323: Meeting Conduct**

The Governing Board reviewed BB9323 regarding Meeting Conduct and recommended that it go to the Board for a second reading and adoption.

14. **Information Item: Draft of Proposed 2009-10 Budgets**

The Governing Board reviewed the proposed 2009-10 budgets for all funds. Jing-Jing Wang, CBO, provided a PowerPoint and overview of the budget prior to adoption by the Board at the June 24, 2009 meeting. The proposed budget is based on the February state adopted budget. Any further proposed reductions or cuts have not been factored in. The proposed budget does contain a 4% salary reduction to balance the budget.

Superintendent Hay: At a meeting of the Santa Clara County Superintendents Association today, an action was taken to recommend to the Governor and state legislature that if there is any reduction in the school year for districts it be mandatory state wide. Also, the association is recommending all categorical programs be moved to Tier 3 for flexibility including transportation and K3 Class Size Reduction (CSR) as well as removing all penalties. CTA strongly opposes moving K3 CSR to Tier 3. There is a lottery contingency in both the general and adult education funds which is based on lottery funds being passed through based on ADA reported to the participating districts. Now that we are no longer ADA based, there is a question on how lottery funds would be distributed. The Governor and state legislature are aware of the issue and the impact to participating districts. They are trying to figure out a way to continue the lottery funding for ROCP and Adult Ed programs without the ADA. The reserve of \$160,000 for cosmetology contracts has been included even though we are no longer continuing cosmetology classes next year. There were a number of high school students that entered the program this past semester and this will allow them to finish the program during 2009-10. After they complete their programs, there will be no further funding for the Cosmetology schools.

President Garcia: He shared there were no increases to revenue and inquired if there were any new ways to generate revenue that have been discussed at the state level. Ms. Wang has not heard of any revenue increases proposed to date.

Member Chang: She appreciated the comprehensive Superintendent's Comments in the budget packet. It clearly lays out where we are with the budget and how we got to this point. As a word of caution, the Board has a fiduciary duty for the financial health of the district and as was reported out from closed session, we must continue to be cognizant of further budget impacts to MetroED and ensure there is a balanced budget as we move forward.

Superintendent Hay: MetroED receives two CalWORKs grants that total approximately 1 million dollars. If the state eliminates CalWORKs; it will be a huge impact to the adult education programs and grant funded staff.

**XVI. ACTION ITEMS AND REPORTS**

**BOARD AND ADMINISTRATIVE FUNCTIONS**

15. **Action Item: Approve MetroED Vision Statement, Long Term Goals and Objectives for 2009-10**

**MOTION:** It was moved to approve the MetroED Vision Statement, Long Term Goals and Objectives for 2009-10. M/Chang, S/Biehl, Vote: 6 Ayes

#### **BUSINESS AND FINANCIAL FUNCTIONS**

16. **Action Item: Approve Construction Contract MAEP Relocatable Classroom Project (Guerra Construction Group-\$509,899)**

**MOTION:** It was moved to approve the contract between the Metropolitan Education District and Guerra Construction Group in the amount of \$509,899. M/Grilli, S/Gordon, Vote: 6 Ayes

#### **INSTRUCTIONAL AND STUDENT FUNCTIONS**

17. **Action Item: Criteria for Closing CCOC Classes**

**MOTION:** It was moved to approve the Cabinet approved "Criteria for Closing CCOC Classes." M/Biehl, S/Gordon, Vote: 6 Ayes

Superintendent Hay: The criteria for closing CCOC classes have been in place for three years and had been previously approved by the Board. Based on classes being non-ADA generated through 2013, it is time to review and fine tune the criteria. With limited, fixed, funding, the ROCP priority must now be for the high school students from the six participating districts. We no longer need to "buy" ADA in order to make CAP.

President Garcia: Given the financial situation, this is good that we are revisiting these procedures and staying on top of the changes.

#### **XV. EXECUTIVE/ADMINISTRATIVE REPORTS**

##### CCOC Director Fox:

- The last day of school at CCOC for the 2008-2009 school year was Tuesday, June 9, and school closed without any unexpected events.
- The CCOC Awards Ceremony on May 29 was well attended with approximately 750 people. The highlight again this year was the fashion show that allowed students to show off the uniforms they wear in their classes. Over 200 students were recognized and many received scholarships.
- The Second Annual Visual Arts and Multimedia Festival was held on June 5 and attended by parents and students. It featured the work of CCOC students enrolled in the Animation program instructed by Eric Whitman (Animation), Dale Poor (Multimedia), Jeff Schmidt (Video Productions), and Ken Schirle (Graphic Design).
- At the final faculty meeting of the year a number of teachers were recognized: CCOC Teacher of the Year Sara Crowder; Alice Rodriguez and Sandy Underwood (Coordinators) and the 23 teachers who worked on the Awards Ceremony; Staff development awards presented to Dale Poor, Jeff Schmidt, and Peggy Nutz by Pam Watson and Steve Sinclair (Santa Clara Office of Education); Superintendent Hay presented two former teacher of the months their Raising the Bar awards. Superintendent Hay also recognized Kathie Melrose for retirement after 32 years of service to the students of MetroED.
- There will be a Technology Camp held for three days next week on the campus for students from Santa Clara Unified School District.
- MAGIC Camp will be held in August on the campus. MAGIC stands for Mentoring a Girl in Construction. Workshops will be provided by Kurt Cheetsos (Carpentry), Scott Hall (Electrical Maintenance, Pat Haney (Welding), along with women currently in the construction trades.

- On June 11, the Electrical Maintenance program will receive an Electrician Trainee site inspection conducted by the California Department of Education Apprenticeship.
- John Tawney (HVAC) will begin an intern class on June 15 to provide assistance to the maintenance crews on campus. He will supervise approximately 30 students daily for six weeks providing preventative maintenance and various other projects around campus.

MAEP Director Sylvia Karp:

- The last day of school for MAEP was on Friday, June 5 and it was a very successful school year. During the last week of school, all of the 500 MAEP classes were full as students were concerned about the status of adult education in the state.
- There were 200 ESL students at the Metro Center who had 100% attendance for the school year.
- There were 244 concurrent high school students from San Jose Unified School District that earned grades and credits through the adult education program.
- On Wednesday, June 17 at 6:00 PM, over 100 students will be receiving their high school diploma as well as one special student this year that was featured on the front page of the San Jose Mercury News on Monday, June 8, Frank Ganz. Frank is 83 years old and a World War II Veteran.
- Director Karp acknowledged all of the teachers and staff who worked so hard this past year under rough circumstances to provide educational opportunities for so many adult students.

MetroED Superintendent Paul Hay:

- The construction is moving quickly for the MC Village that will be on the southwest side of the campus upon completion and should be ready for the adult education program to move in late August or September.
- San Jose Job Corps has volunteered to do all of the landscaping for the new MC Village when completed.
- A copy of the Final Report, Santa Clara County Schools, Inventory Practices - \$300M+ Taxpayer Investment – But who's Counting?, received from the Santa Clara County Grand Jury today was presented to the Board Members. MetroED will respond to the report and SCC Superintendent Chuck Weis provided recommended language to the Santa Clara County Superintendents Association members. MetroED is finishing a complete physical inventory that has taken approximately eight months in-house.
- A copy of the 2<sup>nd</sup> Interim Report approval from Santa Clara County Office of Education was presented to the Board Members stating agreement with the positive certification for MetroED.
- A copy of ACSA's budget outlook was presented to the Board Members that is a good analysis of where the state currently is regarding education funding.
- Previously, the Board had approved health and welfare benefits for laid off employees. Dan Gilbertson, Human Resources Director, has put together three workshops for the employees and a binder of information, "Careers in Transition." The workshop participants have responded with "rave reviews" on the information and workshops.

**XVI. BOARD COMMENTS**

- Member Gordon: She thanked and congratulated all the teachers, administrators and individuals involved with a very successful CCOC Awards Ceremony. As we know, CCOC is open to all students with all kinds of backgrounds. We do provide an alternative source of education for some students that might not have found a niche. At the awards ceremony, you see a lot of students that might not have had much success in education earning scholarships, being acknowledged, and given their moment for the first time. It was a touching experience and she thinks the program is done in a way that every student does have an opportunity to enjoy the spotlight. She was also impressed by the parents and others who came to the ceremony and how they seemed to understand the importance of the ceremony. In attending award functions in her district, she does not recollect where everyone continued to sit through the whole program even though the person they came to see had already been acknowledged. She shared how important the program was for students and

how well done the ceremony was and again congratulated everyone involved. CUHSD will be holding their graduation ceremonies on Thursday and she will be attending Branham HS and Boynton (alternative school).

- Member Grilli: She attended ACSA Region 8 awards dinner and congratulated Paul Hay for being selected Career Technical Education Administrator of the Year.
- Member Chang: She attended the alternative program, NOVA, today in Los Gatos/Saratoga UHSD where students get another chance at finding success. This is a happy time of the year for board members where we can experience the accomplishments of serving on the board and providing direction and guidance to move forward. She thanked Superintendent Hay and MetroED staff for the excellent educational program provided at MetroED. Even though there is much uncertainty regarding the economy, we need to try and do the best we can as board members. She wished everyone a good summer as she will not be able to make the June 24 Board Meeting and will be looking forward to another great year for MetroED.
- Member Canova: He agreed with the comments that this is the best time of year for board members to be able to attend graduations and award ceremonies and see the enthusiasm of the students. It brings into sharp focus how the budget cuts in this state are hurting people. It is no longer just numbers; it is hurting our citizens in a profound way. In the other 49 states, people understand that the way to move forward is not only to have the capacity to cut but also to increase revenues and California is incapable of recognizing this. The super majority that is in place (2/3rds vote) in Sacramento has to change. It is understandable that there are some citizens in the state that would be uncomfortable with a simple majority when it comes to issues of taxation; however, it seems there could be something easier to attain than a super majority. The answer is not just cuts alone; it is only part of an answer. Raising revenues in a responsible, intelligent way that is in the interest of investing in our state's future needs to be done.
- Vice President Biehl: As was mentioned at the last meeting, he has become President of the Santa Clara County School Boards Association and part of the responsibilities is to attend the Education Coalition meetings. Representatives are from CTA, CSEA, PTA, SEIU, County Superintendent's Association, Administrator's Association, and SCCSBA and he is now chairing this coalition as well. The association will continue to work on advocacy issues next year. The real challenge will be to get everyone to agree on the direction to take and he will report back on areas of interest to the Board.
- President Garcia: He also commented that this is a great time of the year for school board members having the opportunity to attend graduation and award ceremonies. It is great to see the students walk across the stage feeling confident and looking forward to their future. Last week, he attended the Distinguished Schools Award ceremony in Anaheim and it was great to see so many schools being recognized for their excellence in educational programs for students. It is good to have the opportunity to work with so many administrators and instructors' trying to ensure education continues for students and there is so many good things happening and we are faced with such difficult budget issues.

## **XVII. OTHER MEETINGS**

Regular Meeting, June 24, 2009

Open Session

7:00 pm

## **XVIII. ADJOURNMENT**

**MOTION**: It was moved to adjourn the meeting. M/Chang, S/Biehl, Vote: 6 Ayes

President Garcia adjourned the meeting at 8:15 p.m.

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Jim Canova, Clerk of the Board