

METROPOLITAN EDUCATION DISTRICT
Board Meeting

June 28, 2006

MEETING MINUTES

REGULAR MEETING

The open session of the regular meeting of the Governing Board of the Metropolitan Education District was called to order by President Chang at 5:47 p.m., Room 810 at the Central County Occupational Center, 760 Hillsdale Avenue, San Jose, CA 95136.

CALL TO ORDER

1. ROLL CALL

All Members present, except where noted.

Cynthia Chang, Los Gatos-Saratoga Union High School District

Ernie Dossa, Santa Clara Unified School District

Richard Garcia, San Jose Unified School District

Diane Gordon, Campbell Union High School District

Marsha Grilli, Milpitas Unified School District

Craig Mann, East Side Union High School District

2. DISCLOSURE OF "CLOSED SESSION" DISCUSSION ITEMS

3. ADJOURN TO CLOSED SESSION

Time: 5:48 p.m.; Closed Session adjourned at 6:00 p.m.

5. **ADJOURN TO BOARD STUDY SESSION (REGULAR MEETING)**

Date: June 28, 2006

Central County Occupational Center

Time: 6:12 p.m.

RM 810

• Equalization

Governing Board President, Cynthia Chang opened the meeting at 6:12 pm. CBO, Paul Hay made a presentation to the Board of the ADA Equalization issue. Hay began with the history of equalization and how the funding got to where we are today. Mr. Hay presented a spreadsheet illustrating the CCOC funding models and how various options can be used in addressing the ADA equalization issue.

Discussion:

Member Chang asked if there were any questions and commented that Paul Hay made a very clear presentation.

Member Garcia said that he understands the \$934 equalization amount, but he believes that some of the districts are questioning this amount. Hay responded that the \$934 amount was agreed upon by the district CBOs, and Superintendents. This information was used to write master business agreements which were approved by each of the six district boards.

Member Dossa said that when we first put this together, we expected we would continue to make changes.

Member Chang asked if it is too late for districts to convert courses in their districts to ROP courses. Assistant Principal, Sylvia Evans, liaison to the districts, was asked by Superintendent Hallet to respond to the question. Sylvia said that it is not too late to convert classes for the 2006 – 2007 year; however there are requirements that need to be met. First, there must be some kind of change of curriculum; it must differ from the courses' curriculum currently being offered. Some

kind of career components needs to be included in order to avoid the supplanting issue. Sylvia was asked by Member Chang if the district teachers would have assistance in making these changes. Superintendent Hallett stated that the principal, when considering a new course should first evaluate it to see that it fits the ROP's criteria. If it is an ROP class the school would be getting the district revenue, plus ROP funding. Sylvia Evans commented that her job was to act as liaison between the districts and MetroED and she will walk the teachers through the process.

Superintendent Hallett suggested that districts begin to think out of the box when developing ROP courses at their schools; the classes do not only need to be auto and trades courses. For example a writing class could be converted to a technical writing course. Sylvia Evans said that one good example of this type of class is a photography class which is very popular in several of the districts.

Member Chang commented that teachers need to have the right credential, too. Sylvia Evans said that teachers do need a vocational subjects' credential and five years of industry experience (paid or unpaid) Assistant Superintendent Dreier commented that we can help with the credentialing, too; MetroED offers courses for obtaining the credentials.

Member Garcia said that he wanted to be clear on how the process for moving forward was going to work; with the Superintendents' meeting scheduled for August 8, we are heading in the right direction; what happens next?

Superintendent Hallett commented that we have our three-pronged approach; the superintendents want to keep their business people in the process. The superintendents need to talk about concepts and give specific direction to what they want the CBOs to do. The superintendents will go back to the CBOs with direction about putting together a funding formula. The timeline depends on East Side; we hope that they will complete their investigation soon and in the meantime I am continuing to move ahead.

Garcia: Will the superintendents bring the information back to their individual boards for approval first?

Hallett: I think the approval needs to come to this board first for approval; of course, the superintendents will likely bring it to their boards for discussion and recommendations.

Member Chang asked how the attendance was at the last JPA Executive Council. Hallett said that Milpitas and Santa Clara were missing.

Hay: We have been posturing ourselves so that we can make changes where we need to in order to keep MetroED whole. We need to posture ourselves to be ready if East Side does decide to leave. One of the actions we have taken is to put aside \$300,000 to help with the equalization process.

Member Mann asked Paul to clarify a comment he made during his presentation about the student costs being frozen. Hay said that this comment had to do with how having adults in the CCOC classes help with our costs. Even if we take the adults out of the classes, the cost of running the class does not change.

Mann: Because my trust in the way this organization is managed, I am suspect of the data; the presentation was very slick, but I don't believe the numbers. If we had more time, I would recommend having FCMAT come in and look at this organization.

CBO Hay commented that our past two audits have been clean with no exceptions. Mann said that in all due respect, East Side's audits were also clean, but we found all kinds of exceptions when we looked at it. Those auditors' signatures do not mean anything. I do not believe the numbers.

Member Chang thanked everyone for coming to the study session; we had a good discussion. She said that she appreciated Paul Hay's presentation and felt that it made the equalization issue clear.

The study session was adjourned at 7:12.

6. REGULAR MEETING (continued) LOCATION

Date: June 28, 2006

Central County Occupational Center
Auditorium

Time: 7:00 p.m.

7. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Diane Gordon

8. REPORT OF CLOSED SESSION ACTIONS

President Chang reported that the Board finalized the Superintendent's evaluation, that he has earned a "satisfactory" and his contract has been rolled over for an additional year. We realize that we do have a serious issue to resolve and the board hopes that we will have a fair and timely resolution in the very near future. Superintendent Hallett commented, "me too".

9. ADOPT AGENDA

Motion to adopt agenda by: Grilli, second: Gordon, vote: unanimous.

10. SPECIAL ORDER OF BUSINESS

10.1 Assistant Superintendent, Jan Dreier, introduced, Karen Enzensperger who in turn introduced Nancy Goodrich from California Department of Education, GED. She was here to present Heather Bryant the Outstanding Achievement Award as being among the highest GED scores in the state. Each year Washington, D.C. awards one outstanding student per state. Heather had five scores in the 99th percentile and a perfect score on the math portion of the test.

Paul Hay introduced Lenzo Pittman as the new MetroED Facilities Manager.

11. PUBLIC PRESENTATIONS & REPORTS

11.1 Public Comments – none.

12.0 APPROVAL OF MINUTES

12.1 Motion to approve minutes of regular board meeting, June 14, 2006 by: Dossa, second Garcia, vote unanimous.

13.0 CONSENT CALENDAR

Motion to approve consent calendar by: Grilli, Second: Gordon, vote: unanimous

13.1 BUSINESS AND FINANCIAL FUNCTIONS

13.1.1 Action Item: Approve June Board Warrant Approval List

13.1.2 Action Item: Approve Consultant Services Contract with School Services of California, Inc., (SSC) for Fiscal Budget Services

RECOMMENDATION: That the Governing Board approve the contract with School Services of California, Inc. for fiscal budget services in the amount of \$1,980, plus actual expenses.

13.1.3 Action Item: Approve Lease Agreement: Santa Clara County Office of Education, Head Start Program

13.1.4 Action Item: Approve Transportation Contract: Laidlaw Transit, Inc. dba Laidlaw Education Services

13.2 PERSONNEL

13.3 INSTRUCTIONAL AND STUDENT FUNCTIONS

13.3.1 Action Item: Application for Perkins 132 Grant, 2006-07

13.3.2 Action Item: Approval with San Jose Job Corps for Instructional Aide, 2006-07

14.0 INFORMATION ITEMS

14.0.1 Information Item: MetroED Investment Portfolio as of 3/31/06

The Governing Board reviewed the MetroED Board Investment Report.

CBO Paul Hay presented the information to the Governing Board and commented that though we are no longer required to make this report, we will continue to do so as a good business practice.

14.0.2 Information Item: ADA Equalization Update

The Governing Board received the update on ADA Equalization.

Superintendent updated the board by reporting the latest action taken on the ADA equalization issue, the JPA Superintendents' meeting on June 19.

- The superintendents were told that the MetroED Governing Board wants immediate resolution to the equalization
- The superintendents want the CBOs to be a part of the process and wants all of the districts involved

The challenges were framed for the superintendents:

- East Side is going to study the issue
- Campbell will not continue with the status quo and wants credit for the inequity that has existed for so long

A meeting with superintendents and CBOs will be held on August 8

- A presentation will be made, similar to the one given at tonight's study session, to bring everyone up-to-speed as we have several superintendents new to the issue. We will do a little of the economic history.
- District CBOs will come with an analysis of their costs
- Superintendents will give a clear direction to the CBOs
- A second meeting will be held on August 21; we have confirmation from the superintendents and CBOs that they will all attend both meetings.

Superintendent Hallett said that he would love to have the issue resolved by November.

Discussion:

Member Chang informed the public of the study session and said that it provided a good basis for moving forward; Paul did an excellent job. Superintendent Hallett and Superintendent Nunez are meeting on a regular basis

Member Garcia said that the presentation was the best he has ever had since he has been on this Board. My question is that if we push forward at an accelerated speed, are we giving East Side enough time if they need a year? Superintendent Hallett asked the Board if it was okay to have Superintendent Nunez, who was in the audience, respond to the questions.

Superintendent Nunez said that he appreciated the study session and will take the information back to his district. I plan to move the decision up in time and hope to present this to my Board in the November or December timeframe. Neither MetroED nor East Side can afford to go beyond this time; it will not take us the year.

15.0 ACTION ITEMS AND REPORTS

15.1 BOARD AND ADMINISTRATIVE FUNCTIONS

15.1.1 Action Item: Master Business Relationship Agreement Campbell Union High School District

Motion by Grilli: That the Governing Board take no action on this item, Second Dossa, Vote: 4 yes, 1 no, 1 abstention; Mann abstained; Gordon, "no".

Superintendent Hallett said that he cannot recommend to the Board that they approve this item; I am recommending that no action be taken. This action was taken unilaterally by Campbell, none of the other districts were involved; there is already an approved master business agreement in place with two years left. Hallett said that he understands Campbell's position but to amend the agreement without the whole of the JPA is not something that he is willing to do.

Discussion:

Member Chang asked Member Gordon for her comments. Gordon said that she would like Superintendent Farber, in the audience, to comment.

Superintendent Farber said that she appreciated Tim's comment about understanding Campbell's position and she also appreciated the urgency that has been given to coming to a resolution. However, we have been talking about this for a long time, since the last superintendent, Richard Friberg was here. We see inconsistencies and believe that each district must pay for their students who are attending CCOC. Our Board has asked if we are best serving the needs of our students, our teachers, and our community with the inequities that have existed for seven years. I appreciate the action and fast action that is being taken but we are all in the midst of passing our budgets. We have been living with this for a long time and we cannot wait another seven years. We will be a part of the process, we will attend the meetings and will continue to support CCOC but we want to do it with our partners.

Member Gordon said that she would like to respond to two of MetroED's points opposing the recommendation to approve the revised master business agreement. First, that there is already a master business agreement in place with two years left. We have an agreement in place that values some district's students over others; what does this say about us? Do we keep something just because it has time left, or do we revise it to meet our needs? Secondly, there is already a process in place. We did vote to put a three-pronged approach in place and to move forward, but what we need to do is to determine who we are, where we are going, how we are going to treat each other and how we are going to get to where we are going.

Member Garcia: Diane brings up some good points, but I am not sure this is the place to do it. If we do this with one district, other districts may be bringing things to the table which will only make negotiations more difficult. Diane has made some good points and I support those ideas. I would like to acknowledge and support Diane's position by treating all students the same. We need to have these value statements in writing because of unintended consequences. Rather than revising the master business agreements, we can pass these written value statements along so that Tim can use them in his superintendents' meetings.

Superintendent Hallett said that he was not clear on what he would be asked to pass along to the superintendents. He said he heard that we need one master business agreement and that all students need to be treated fairly, is there something else?

Member Mann said that he cannot see meeting again to write values statements. So far the winners in these meetings are the people who have brought the donuts and cookies because nothing has happened. We need to get to our core purpose. This is a failure of leadership; the ones making the big bucks are not making the decisions. This is a lack of leadership issue and I am going to keep saying this until the situation is resolved.

Member Garcia said that he is willing to pull his idea off of the table because unless we can get this to the superintendents by August 8, it will be too late.

Member Chang said that we do have a difficult issue to resolve and we must remember that we are representing MetroED on this board. We all need to go back to our boards; the JPA leadership will not be able to do this alone, they need support of their boards. I am optimistic that we will solve this and Superintendent Hallett wants resolution by November.

15.1.2 Action Item: Adopt Final 2006-07 Budgets

The public hearing was opened at 7:55 pm and there were no comments from the public.

The public hearing was closed at 7:56 pm.

Motion by Dossa: That the Governing Board open the public hearing, accept public comment on the proposed 2006-07 budget, close the public hearing and adopt the proposed budget for the fiscal year 2006-07, Second: Mann, Grilli, Vote: 4 "yes", 2 "no" Gordon, "no"; Mann withdrew his second and voted "no". Gordon commented that she cannot support the budget because of the equalization issue. Mann said he cannot support the budget because he does not believe the numbers.

15.2 BUSINESS AND FINANCIAL FUNCTIONS

15.3 PERSONNEL FUNCTIONS

15.4 INSTRUCTIONAL AND STUDENT FUNCTIONS

16.0 EXECUTIVE REPORT/ADMINISTRATIVE REPORTS

Assistant Superintendent Jan Dreier reported to the Board on departmental items of significance: CCOC has already begun their summer session and MAEP's session will begin on July 5. Mrs. Dreier thanked the Board for their gift of a pen to her.

Member Chang thanked Jan, on behalf of the Board, for her years of service. Member Gordon said that she will miss Jan's upbeat presence on the Board.

Superintendent Tim Hallett made no report to the Governing Board.

17.0 BOARD COMMENTS

Member Gordon asked for a SkillsUSA update. Joyce Monda commented that she recently got some information; Jared ranked nationally and that in July he was starting his job which he was offered when at State competitions.

Member Grilli gave her thanks to Jan.

18.0 Advanced Planning

19.0 Other Meetings

Member Gordon said that another study session on ADA equalization after the superintendents' meetings took place would be helpful.

Regular Meeting, August 23, 2006: Closed Session at 6:00 p.m.; Open Session at 7:00 pm.

20.0 ADJOURNMENT

Meeting adjourned at 8:00 p.m.

Marsha Grilli, Clerk/date