

METROPOLITAN EDUCATION DISTRICT

Governing Board Meeting Minutes
June 27, 2012

I. CALL TO ORDER/ROLL CALL

The meeting of the Governing Board of the Metropolitan Education District was called to order by President Chang at 7:00 p.m., in the CCOC Auditorium, 760 Hillsdale Avenue, San Jose.

All Members present, except when noted "absent":

Daniel Bobay	Milpitas Unified 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
J. Manuel Herrera	East Side Union High School District (7:08 p.m.)

II. CALL TO ORDER/ROLL CALL REGULAR MEETING

The meeting of the Governing Board of the Metropolitan Education District was called to order by President Chang at 7:05 p.m., in CCOC Room 201, auditorium, San Jose, California.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice President Bobay.

IV. ADOPT AGENDA

Superintendent Hay: He asked the Governing Board to move Recognitions after Item # 11 on the agenda.

MOTION: It was moved to adopt the agenda with staff recommendation. M/Garcia, S/Gordon; Vote: 5 Ayes, 0 No, 1 Absent (Herrera)

V. SPECIAL ORDER OF BUSINESS

None

VI. PUBLIC COMMENTS

President Chang: She noted there were no requests to speak.

VII. CONSENT CALENDAR

MOTION: It was moved to approve consent items # 1 through #11. M/Garcia, S/Gordon; Vote: 5 Ayes, 0 No, 1 Absent (Herrera)

BUSINESS AND FINANCIAL FUNCTIONS

*1. Action Item: Approve Monthly Warrant Approval List

The Governing Board approved warrant registers: #62013701-#62013790, dated June 4, 2012; #62013791-62013811, dated June 6, 2012; #62013812-62013841, dated June 11, 2012; #62013842-62013856, dated June 12, 2012; 62013857-#62013873, dated June 14, 2012; and #62013874-#62013886, dated June 18, 2012.

***2. Action Item: Approve Surplus Items**

The Governing Board approved the items listed for surplus in the Governing Board packet which included miscellaneous items for CCOC and MAEP.

***3. Action Item: Approve Agreement for CETPA and Microsoft Strategic Alliance (CAMSA) Program**

The Governing Board approved the agreement with CAMSA (Microsoft Strategic Alliance) to obtain Microsoft software licenses through this program.

***4. Action Item: Change Order #01, CCOC Building 600 Modernization, Swenson & Associates - \$33,322**

The Governing Board approved change order #01 for CCOC Building 600 in the amount of \$33,322 between MetroED and Swenson & Associates.

***5. Action Item: Approve Contract for Parking Lot Repair – Silicon Valley Paving - \$79,420**

The Governing Board approved the contract between MetroED and Silicon Valley Paving in the amount of \$79,420.

PERSONNEL FUNCTIONS

***6. Action Item: Certificated Personnel**

The Governing Board approved the two (2) MAEP teachers for the 2012-2013 school year classes for High School Subjects.

***7. Action Item: Classified Personnel**

The Governing Board approved the sixteen short-term summer appointments, two resignations, and eight lay-offs.

***8. Action Item: Administrative Personnel**

The Governing Board approved two promotions; Justin Locketz to Assistant Principal CCOC and Suzi Glass to Principal MAEP; and one re-hire; Jo Ann Van Ballegooijen to Assistant Principal MAEP, part-time evening.

***9. Action Item: Revised Administrative/Confidential Job Description: Principal, Coordinator of Credentialing Services, and Communication Specialist**

The Governing Board approved the revised Administrative/Confidential job descriptions for the positions of Principal, Coordinator of Credentialing Services, and Communication Specialist.

INSTRUCTIONAL AND STUDENT FUNCTIONS

***10. Action Item: Approve Agreement with County of Santa Clara CalWORKs Program Liaison Services (\$613,609) and Sessions to Enhance Professional Skills (\$372,336)**

The Governing Board approved the agreement with the County of Santa Clara CalWORKs for the period of July 1, 2012 to June 30, 2013.

***11. Action Item: Evening Fee-based Classes Offered in 2012-13**

The Governing Board approved the evening fee-based classes to be offered by CCOC for the 2012-13 school year.

VII. RECOGNITIONS

A. Acknowledgement of Visitors

Superintendent Hay: He introduced new members of the MetroED Administrative team; MAEP Assistant Principal-Evening Jo Ann Van Ballegooijen; Facilities Manager Scott Hall; Human Resources Director Tom Mullin. He shared that CCOC Assistant Principal Justin Locketz and CCOC Coordinator of Counseling Services Chantu Nguyen would be introduced at a later date.

Scott Hall is the new Facilities Manager beginning his assignment on May 29. Scott began teaching at CCOC in August 1993 as the Electrical Maintenance Teacher. Scott has been at MetroED for 19 years. After his predecessor retired, he supported the district doing double duty for several months prior to taking on his new position full time.

Tom Mullin has worked at MetroED for almost 32 years beginning his career in 1980 as the Diesel Mechanics Instructor. In July 2006, he began as the Assistant Principal at CCOC and has been instrumental in supervising the Prop 1D renovation projects. Tom holds a Master's Degree and will begin full-time as HR Director on July 1.

Jo Ann Van Ballegooijen was hired as an MAEP Teacher in July 2002 and promoted to MAEP Assistant Principal February 2006. With the downsizing of the adult education program, Jo Ann was laid off in June 2010. It is great to have Jo Ann back on the team after working at MetroED previously for 10 years.

President Chang: She congratulated the employees and welcomed them to their new roles at MetroED.

VIII. INFORMATION ITEMS

12. Information Item: Withdrawal from MetroED JPA: Los Gatos-Saratoga Joint Union High School District

Superintendent Hay: He reviewed the process for withdrawal and the meetings held in accordance with the Joint Powers Agreement (JPA) for Los Gatos-Saratoga JUHSD's notice of withdrawal. He shared it had not been a contentious process. He said on June 19, the three LGSJUHSD Board Members who voted to provide final notice to MetroED stated they thought the programs were exceptional and it was with great regret the action had to be made. He said their Board also shared it was due to the State of California flexing categorical funds and taking their basic aid fair share cut from them.

Member Canova: He said the trigger for withdrawal was the State taking all of their categorical funds. He asked when the state returns to a stronger position and the fair share cut goes away, how difficult and what would be the process for LGSJUHSD coming back into the JPA.

President Chang: She said on page two of the summary included in the packet, there were options detailed after flexibility ends in July 1, 2015. She said she abstained from the vote in her home district with one person absent. She said that she has served on the MetroED Board since 2003 and she was involved with the hiring of former Superintendent Hallett with Member Garcia and then hiring Superintendent Hay. She said she has learned so much at MetroED and she has been very impressed with the programs offered. She said the financial impact to LGSJUHSD was \$260,000 per year and it was the main reason for the notice to withdraw. She said her home

district could rescind if the budget becomes more promising as it does not become effective until June 30, 2013. She also said she would resign at the end of June 2013 if the resolution is not rescinded and she assured the Governing Board that she would continue to look out for the best interests of MetroED as she has always done while serving on this Board. She said she would always have MetroED's best interests at the forefront. She said she was sorry her local school district had to make this decision.

Vice President Bobay: He asked President Chang why she voted to abstain on the withdrawal vote.

President Chang: She said when she is at her home school district she has to do the best she can for her home district and she abstained and said she did not have to defend her vote positions to other MetroED Board Members. She said it is an awkward situation and she enjoys working on this Board. She said she hoped no one would question her ethics and integrity.

Member Canova: He said he understood there were not enough students participating at CCOC and if she had any thoughts if participation increased during the next year and what the increase would be to reverse the decision.

President Chang: She said this was not discussed at her home board meeting. She did know that the superintendents have been talking to encourage students to participate. She said one of the obstacles is the distance. She said it would be important to educate the parents in the local community about the benefits of CCOC and she said there are students currently attending.

Superintendent Hay: He said he had conversations with Superintendent Mistele and he indicated he was going to put on a full court press at Los Gatos High School about the opportunities to participate as well as finding ways to communicate with the board and community the value of attending classes at CCOC. He said they will continue to communicate and strengthen the marketing campaign to Los Gatos High School.

Vice President Bobay: He asked if the cost (\$9,200) for an enrolled student was the same for the other districts and how it was calculated.

Superintendent Hay: He said the cost was not the same for the other districts. He said this was a unique situation and it was calculated by dividing the students by the number attending and there were 13 students from LGSJUHS that completed this year.

President Chang: She said there is ADA and enrolled students and it is not equivalent. She said there is also an extra cost of \$58,000 for busing the students to CCOC. She said the real cost to her home district is \$260,000.

Superintendent Hay: He said he did show in the information both ADA and enrolled students to show how attendance impacted the calculations. He said there were 13 students that actually completed the full year at CCOC. He said administration contacted the bus company and asked how much our district would save if they didn't have to do busing for LGSJUHS. He said the cost would be different for the other districts as it is based on the distance, the size of the bus, etc.

President Chang: She said prior to the meeting she had asked the superintendent the average cost per student for busing and it was \$600; however, for Los Gatos it is about \$4,500.

Member Canova: He asked if it was a private for-profit company and noted that Santa Clara USD does contract with others for busing and it may be something worth checking for the future.

Superintendent Hay: He said three years ago administration did ask the participating districts if they would be interested in bidding for the busing and they were not interested at that time. He said administration would be happy to do this.

13. Information Item: Board Voting Requirements

Superintendent Hay: He said at the last meeting there was a question on the voting requirements for MetroED brought up by Member Gordon on when a vote had to be unanimous. He said there are three unique circumstances where voting by the MetroED Board is by other than a majority vote. He said for example, if there were only four members present at a meeting, you would need all four voting in the affirmative for an item to pass. He said under normal circumstances that would be four as there is a six member board. He said a unanimous vote is required for approval of a charter school and issuance of school bonds.

President Chang: She asked if there were only four members present, could they approve these items if they were on the agenda.

Superintendent Hay: He said it would take all six members to be present. He said the other unique circumstance would require a unanimous vote of the board after the members have consulted with their participating district boards for issuance of certificates of participation or other long term obligations, use of proceeds from general obligation bonds, special local tax or from a municipal assessment district. He said the other unique circumstance is a unanimous vote of the participating district boards for sale of real property owned by the district (property leased to the auto dealers), approval of easements on the Hillsdale site, and amendments to the Joint Powers Agreement.

Member Gordon: She asked if the circumstance for changes to the Joint Powers Agreement was for any change to that agreement.

Superintendent Hay: He said yes.

Member Canova: He said there is a meeting scheduled with the Executive Council in July and he asked that this be made clear to the participating district superintendents.

President Chang: She said this item should be on the agenda for the Executive Council.

Superintendent Hay: He said it would be added to the Executive Council agenda and the meeting is being scheduled for July 25 or July 26.

IX. ACTION ITEMS AND REPORTS

BOARD AND ADMINISTRATION FUNCTIONS

14. Action Item: Second Reading: Board Policies; Tri-Annual Update

Superintendent Hay: He said there had been no additions or corrections since the first reading.

MOTION: The Governing Board moved to adopt the Board Policies. M/Gordon, S/Herrera; Vote: 6 Ayes, 0 No

15. Action: November 2012 Funding Initiatives; Consider Adoption of Resolution #15-06-27-12, To Support the Schools Local Public Safety Protection Act, or Resolution #16-06-27-12, to support the Our Children, Our Future: Local Schools and Early Education Investment Act

Superintendent Hay: He said CSBA has asked school districts to consider a resolution in support of both the initiatives for the November 2012 ballot: Governor Brown's Schools & Local Public Safety Act and Molly Munger's Our Children, Our Future. He said administration has provided two resolutions for the Board to review and discuss. He said President Chang attended the meetings at CSBA where they discussed the two initiatives.

President Chang: She said there was inconsistency regarding the resolutions as #16-06-27-12 is to support both initiatives.

Member Garcia: He said he would move to support both initiatives; Resolution #15-06-27-12.

Member Canova: He said the Munger initiative says the tax revenues go directly to school districts and he asked how it was going to be accomplished.

Superintendent Hay: He said there has been no information on how it would be distributed; however, it would be outside of the state's Proposition 98 funding requirements.

Member Gordon: She said she is not going to support any action at this time. She said it was premature and there is not a clear understanding on how the Munger initiative works and the budget has not been passed by the state. She said she would like to wait until August when things will be much clearer. She said she would like to be in alignment with her home board and they will be discussing the initiatives tomorrow. She said she could make her own decision; however, the position of her home board is that this is a short term fix and she would prefer her home board go out for a parcel tax and she is in the minority. She would like to hear from them and would really advocate that we hold off until there is a clearer picture of what the two initiatives mean and take a look in August and taking a position at that time.

Member Herrera: He said he didn't necessarily disagree with Member Gordon; however, people will begin voting in 90 days and the lead time to get messages out for mass distribution needs to be in the pipeline now. He said he didn't want to wait until the August meeting to make a decision.

Member Canova: He asked if Member Gordon would consider supporting one of the resolutions such as the governor's initiative.

Member Gordon: She said she would not support at this time as the budget is not final and she doesn't know what it means. She said she could not go to the taxpayers in her home district and support something that she didn't really know what it means. She said it is the constraints she operates under in her district and she understands the expectations in their districts can be completely different.

Member Garcia: He said he agreed with Member Gordon and it is not a solution to the fiscal problems for education in the state. He said he feels votes like this are cosmetic and they will not solve the problems in the state but there is one thing that we do know and that is what happens if the initiative does not pass. He said it would be a way to let voters know school districts support the initiatives.

President Chang: She noted the California Association of School Business Officials (CASBO) survey provided by the superintendent and they feel we should support it by 82%.

Superintendent Hay: He said it was only one organization and it is the business officials and the mechanics are not known.

Member Herrera: He said he understood that CSBA had a different position.

President Chang: She said CSBA had a split vote on the initiatives in committees; however, two-thirds voted to support both initiatives. She said she understands the point by Member Gordon and it is a dilemma that we don't understand everything. She said the same questions were asked at the CSBA Delegate Assembly.

Superintendent Hay: He said it was not noted in the information provided; however, CASBO took a position of support on the governor's initiative and not the Munger initiative.

Vice President Bobay: He said he agreed the governor's initiative has more support than the Munger initiative in the state-wide polls. He said he has been a longtime supporter of PTAs and looking at the future of our children without a mechanism in place; he was more supportive of the governor's initiative.

President Chang: She said there was a request from the public to speak on this item prior to voting and asked AFT President Kathy Jasper to speak.

Kathy Jasper: She said she was representing the California Federation of Teachers and she encouraged the Governing Board to support the governor's initiative because it supports all education and not just K-12. She said the Munger initiative sets up a separate entity and will be a bigger tax burden for the average person. She said the governor is working on getting the revenue measures to the top of the ballot and she believes they will go through.

Member Gordon: She said she would not be voting for or against the motion. She said she is not ready to vote until she has more information. She asked that her statement be included in the minutes for her vote to abstain in the motions: She said it was not a matter of being for or against the motions; it was a matter of needing more information and understanding the two proposals.

MOTION: The Governing Board moved to adopt both funding initiatives; Resolution #15-06-27-12. M/Garcia, S/Herrera; Roll Call Vote: Bobay, No; Chang, No; Gordon, Abstain; Canova, Yes; Garcia, Yes; Herrera, Yes. Vote: 3 Ayes, 2 No, 1 Abstain – Motion failed

MOTION: The Governing Board moved to adopt Resolution #16-06-27-12. M/Canova, S/Garcia; Roll Call Vote: Bobay, Yes; Chang, Yes; Gordon, Abstain; Canova, Yes; Garcia, Yes; Herrera, Yes. Vote: 5 Ayes, 0 No, 1 Abstain – Motion passed

President Chang: She said for her vote she wanted to support all of the educational programs and not narrow it down to just K-12 education.

Superintendent Hay: He asked if the Governing Board would like the Munger initiative brought back to the August board meeting with additional information.

President Chang: She said the Governing Board would like to have it brought back for the August meeting.

BUSINESS AND FINANCIAL FUNCTIONS

16. Action Item: Adopt Final 2012-13 Budget

President Chang: She opened the public hearing and noted there were no requests to speak on the budget and closed the public hearing.

MOTION: The Governing Board moved to adopt the budget for fiscal year 2012-13. M/Gordon, S/Herrera; Vote: 6 Ayes, 0 No

X. EXECUTIVE REPORT/ADMINISTRATIVE REPORTS

MAEP Director Karp

- She thanked the Governing Board for the support they have given to adult education, to the students, and the programs over two very difficult years. She appreciated the good understanding they each had about what has been happening in the state and in their own district adult education programs.
- She said she has had the opportunity to work at MetroED for eleven years; five years for CCOC as Assistant Principal for their night adult program and in MAEP for six years. She said she has felt fortunate and happy to come to work every day.

- She said MetroED is an amazing organization where students can come for adult education, take academic courses, improve basic skills, get a high school diploma, ESL classes and walk across the parking lot and have a choice of 34 or more other programs at CCOC. She said other district do not have that same ability.
- She said our students are very fortunate and she feels as though she has had a front row seat at the greatest show on earth. She noted adult education students face many hardships to attend classes and they are still successful. She said it has been an incredible experience.
- She said adult education is going to continue to need your support.
- President Chang thanked Director Karp for all of her efforts for MetroED.
- Member Canova thanked Director Karp for her incredible dedication, career, and positive influence she has had on students over the years. He said he was grateful for her dedication.

XI. BOARD COMMENTS

Member Gordon:

- She said that Dr. Farber's last day as Superintendent of Campbell UHSD would be Friday (June 29) and they have appointed Deputy Superintendent Patrick Gaffney as their new superintendent. Also, they have selected a new Chief Financial Officer, assistant superintendent, and curriculum person. She noted they all live within the district, are young, and understand the culture of the district. She said they are looking forward to continue to move in the direction they have been doing.
- She also shared that Dr. Farber has agreed to continue on several district committees in Campbell UHSD and continuing to advocate for the education community.
- President Chang asked Member Gordon to convey the appreciation of the MetroED Governing Board for her years of service and commitment to education.

Member Canova

- He thanked Superintendent Hay for the extra copy of the Brown Act revisions and noted it has been very useful in his home district and shared the process required if an individual believes there is a violation of the Brown Act.

Vice President Bobay:

- He said the graduation and promotion ceremonies held for Milpitas Unified SD were great.
- He thanked Superintendent Hay for the presentation binders on MetroED and he shared them with his home board members, superintendent and assistant superintendents at their meeting on June 26.
- He said he was looking forward to a great year.

XII. OTHER MEETINGS

President Chang: She noted the next regular meeting will be on August 22, 2012 at 7:00 PM with closed session at 6:00 PM.

XIII. ADJOURNMENT

President Chang adjourned the meeting at 8:00 PM.



Richard Garcia, Clerk of the Board