



METROPOLITAN EDUCATION DISTRICT
 760 Hillsdale Avenue
 San Jose, California 95136

August 19, 2009
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.

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

REGULAR MEETING

Date: August 19, 2009
 Time: 6:00 p.m.

LOCATION

CCOC, Rm 810
 760 Hillsdale Ave.
 San Jose, CA 95136

I. CALL TO ORDER/ROLL CALL

(Rich Garcia)

Frank Biehl
 Cynthia Chang
 Diane Gordon

Jim Canova
 Richard Garcia
 Marsha Grilli

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 Legal Counsel—Real Property Negotiators Pursuant to Government Code Section 54956.8
 - Capitol Expressway Autodealers
- B. Conference with Legal Counsel—Anticipated Litigation
 Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (1 case)
- C. Conference with Labor Negotiator Pursuant to Government Code: 54957.6(f)
 District Negotiator: Daniel Gilbertson
 - AFT

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.

III. PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS

IV. ADJOURN TO CLOSED SESSION

Time: 6:02 pm
Location: CCOC, RM 810

V. REGULAR MEETING
Reconvene from Closed Session

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

VI. REPORT OF CLOSED SESSION ACTIONS (Rich Garcia)

VII. PLEDGE OF ALLEGIANCE (Rich Garcia)

VIII. ADOPT AGENDA (Rich Garcia)

IX. RECOGNITIONS (Rich Garcia)

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

X. STUDENT REPORTS (Rich 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.

XIII. APPROVAL OF MINUTES (Rich Garcia)

1. Action Item: Approval of [Minutes](#) of Regular Board Meeting on June 24, 2009.

XIV. CONSENT CALENDAR (ACTION)

All matters listed under the Consent 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 *16.

BUSINESS AND FINANCIAL FUNCTIONS

- *2. **Consent Item:** [Approve Monthly Warrant Approval List \(Jing-Jing Wang\)](#)

Recommendation: That the Governing Board approve the following warrant registers: #62003017, dated July 8, 2009; #62003018-#62003039, dated July 9, 2009; #62003040-#62003053, dated July 13, 2009; #62003054-#62003086, dated July 15, 2009; #62003089-#62003094, dated July 20, 2009; #62003095-#62003134, dated July 21, 2009; #62003135-#62003176, dated July 23, 2009; #62003177-#62003227, dated July 29, 2009.

- *3. **Consent Item:** [Architectural Services: Sewer Replacement Project \(Bartos Architecture\) \(Daniel Gilbertson\)](#)

Recommendation: That the Governing Board approve the Authorization to Proceed for architectural services with Bartos Architecture, Inc., for the sewer replacement project in the amount of \$78,101.

- *4. **Consent Item:** [Renew Legal Services Agreement with Lozano Smith \(Daniel Gilbertson\)](#)

Recommendation: That the Governing Board approve the Agreement for Legal Services with Lozano Smith.

- *5. **Consent Item:** [Approve Change Order #001 to Contract for MC Village \(Guerra Construction Group - \\$9,475\) \(Daniel Gilbertson\)](#)

Recommendation: That the Governing Board approve Change Order #001 between MetroED and Guerra Construction Group in the amount of \$9,475.

PERSONNEL FUNCTIONS

- *6. **Consent Item:** [Certificated Personnel \(Daniel Gilbertson\)](#)

Recommendation: That the Governing Board approve the return of 159 AFT teachers and 35 CTA teachers for the 2009-10 school year.

- *7. **Consent Item:** [Administrative Personnel \(Daniel Gilbertson\)](#)

Recommendation: That the Governing Board approve the one layoff and one resignation election.

- *8. **Consent Item:** [Classified Personnel \(Daniel Gilbertson\)](#)

Recommendation: That the Governing Board approve the six short term elections.

INSTRUCTIONAL AND STUDENT FUNCTIONS

- *9. **Consent Item:** [Approve Agreement with County of Santa Clara CalWORKs/STEPS Contract \(Sylvia Karp\)](#)

Recommendation: That the Governing Board approve the agreement with the County of Santa Clara CalWORKs for the period of July 1, 2009 to June 30, 2010.

- *10. **Consent Item:** [Agreement with Moreland School District for ESL Classes](#) (Sylvia Karp)
Recommendation: That the Governing Board approve the Memorandum of Understanding with the Moreland School District.
- *11. **Consent Item:** [Williams Uniform Complaint Procedures Report](#) (Daniel Gilbertson)
Recommendation: That the Governing Board approve the quarterly report on the Williams Uniform Complaint Procedures.
- *12. **Consent Item:** [Master Vendor Training Agreement with City of San Jose \(Work2Future\)](#) (Daniel Gilbertson)
Recommendation: That the Governing Board approve the Master Vendor Training Agreement between MetroED and the City of San Jose for the period July 1, 2009 to June 30, 2011.
- *13. **Consent Item:** [Master Vendor Training Agreement with City of Sunnyvale](#) (NOVA) (Daniel Gilbertson)
Recommendation: That the Governing Board approve the Master Agreement for Training Services between MetroED and the City of Sunnyvale commencing July 1, 2009.
- *14. **Consent Item:** [Agreement with Catholic Charities for Use of John XXII Facility](#) (Sylvia Karp)
Recommendation: That the Governing Board approve the Memorandum of Understanding with Catholic Charities of Santa Clara County.
- *15. **Consent Item:** [Addendum to 2009-10 Schedule of Fees](#) (Daniel Gilbertson)
Recommendation: That the Governing Board approve the Schedule of Fees applicable to WIB training contracts.
- *16. **Consent Item:** [Approve Agreement with San Jose Job Corps](#) (Paul Hay)
Recommendation: That the Governing Board approve the Agreement between San Jose Job Corps and MetroED for the 2009-10 school year.

END OF CONSENT ITEMS

XV. INFORMATION ITEMS

17. **Information Item:** [WASC Accreditation for CCOC/P and MAEP](#) (Paul Hay)
Recommendation: That the Governing Board review the WASC accreditation approval letters for CCOC and MAEP.
18. **Information Item:** [Final Attendance \(ADA\) Report for 2008-09](#) (Paul Hay)

Recommendation: That the Governing Board review the 2008-09 Final Attendance (ADA) Report.

19. **Information Item: [First Reading: Board Bylaws 9000's and Administration Policies 2000's](#) (Paul Hay)**

Recommendation: That the Governing Board review the Board Bylaws 9000's and Board Policies 2000's and recommend that they go to the Board for a second reading and adoption.

END OF INFORMATION ITEMS

XVI. ACTION ITEMS AND REPORTS

BOARD AND ADMINISTRATIVE FUNCTIONS

20. **Action Item: [Response to Grand Jury Report: "Santa Clara County Schools, Inventory Practices..."](#) (Paul Hay)**

Recommendation: That the Governing Board 1)approve the Response to Grand Jury Findings and Recommendations dated August 19, 2009, 2) approve a new procedure for Superintendent credit card purchases to be approved by the Board president.

21. **Action Item: [Response to Grand Jury Report: "Who Really Benefits..."](#) (Paul Hay)**

Recommendation: That the Governing Board approve the Response to Grand Jury Findings and Recommendations dated August 19, 2009.

BUSINESS AND FINANCIAL FUNCTIONS

22. **Action Item: [CCOC Sanitary Sewer Line Replacement; Affirm Award of Bid and Approve Contract](#) (KJ Woods Construction Co., Inc. - \$164,000) (Daniel Gilbertson)**

Recommendation: That the Governing Board affirm award of the bid to KJ Woods Construction Co., Inc. and approve the construction contract with KJ Woods Construction Co., Inc. in the amount of \$164,000 for repair/replacement of sanitary sewer lines on the MetroED Hillsdale campus.

23. **Action Item: [Transportation Contract: First Student, Inc.](#) (Daniel Gilbertson)**

Recommendation: That the Governing Board approve the three year transportation services contract between MetroED and First Student, Inc.

PERSONNEL FUNCTIONS

--None--

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.

- Oral Report: CCOC Director John Fox
- Oral Report: MAEP Director Sylvia Karp
- Oral Report: MetroED Superintendent Paul Hay

XVIII. BOARD COMMENTS

(Rich 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

Regular Meeting, September 9, 2009	Closed Session	6:00 pm
	Open Session	7:00 pm

XX. ADJOURNMENT

(Rich Garcia)

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