

METROPOLITAN EDUCATION DISTRICT

Governing Board Meeting Minutes
December 14, 2011

I. CALL TO ORDER/ROLL CALL CLOSED SESSION

The meeting of the Governing Board of the Metropolitan Education District was called to order by President Canova at 6:00 p.m., in CCOC Room 819, San Jose, California, for closed session.

All Members present, except when noted "absent:

Frank Biehl	East Side Union High School District
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

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 Canova at 7:08 p.m., in CCOC Room 201, auditorium, San Jose, California.

III. REPORT OF CLOSED SESSION ACTIONS

President Canova reported no action was taken in closed session regarding the Superintendent's Evaluation; Pursuant to Government Code: 54957 and the Public Employment for Chief Business Official; Pursuant to Government Code: 54957.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Member Biehl.

V. ADOPT AGENDA

MOTION: It was moved to adopt the agenda. M/Garcia, S/Gordon; Vote: 6 Ayes, 0 No

VI. RECOGNITIONS

None

VII. STUDENT REPORTS

A. CCOC Student – Director John Fox introduced Heather Kyles from the Santa Clara County Probation Department to provide information on Peer Court and introduce students from Mark Adams' Probation & Legal Careers class.

Ms. Kyles: She said the program was started through the efforts of Supervisor Dave Cortese and she said they came to CCOC due to the class offered. She said Peer Court is part of their restorative justice program. She said the students have served as bailiffs, jurors, prosecutors, attorneys, and clerks. The students here tonight are Monet Antonio, Thomas Gonzales, and Krysandra Verdugo. Ms. Kyles asked the Governing Board to ask the students questions about their experiences. The students shared their experiences and the positions they held during Peer Court. Thomas Gonzales said he has served as a juror and attorney and he was able to use his experiences from the Forensics class he attended last year. Ms. Kyles said the students are

hearing real cases of minor offenders and are juvenile cases. She invited the board members to attend the next hearing to be held on January 10 and they are hoping it will be held at CCOC in the model courtroom. She said a waiver of confidentiality would need to be signed and she encouraged the board members to attend as the students do an excellent job. There will be a case heard at 5:00 pm and the second case will be heard between 6:00 and 6:30 pm.

Vice President Chang asked what case Thomas was involved with when he was the defense attorney. Thomas said it was a tagging case for graffiti and the offender had already admitted his guilt.

President Canova said it was great Thomas had the opportunity to serve on the jury and be an attorney and get the perspective from different sides.

Member Biehl said he assumed the students had some interest in pursuing this type of career and he asked what effect the experience has had on their desire to continue in the career pathway and if they had learned anything new and how the experience was.

The students said being part of the class and being a part of the Peer Court has been an incredible experience for them. The students said they were nervous at first; however, they knew they could do the job, it has been motivating to continue at school and it has provided an opportunity to meet judges and obtain references to apply for colleges.

Ms. Kyles said the judges are retired or seated judges and are there to ensure the process moves along with the students serving in all capacities. She said the students are doing an awesome job and she hopes they will be able to serve as mentors to train other students for Peer Court in the future. She also shared there are 5 students from Andrew Hill High School with a majority from Mr. Adams' CCOC class.

Member Garcia asked if the students have handled any cases involving dating or domestic violence. Thomas said the cases have involved graffiti and fighting. Ms. Kyles noted Peer Court does not handle cases that would be filed by the district attorney.

Member Bobay asked the students how the jury system worked and the process and steps they undertook. The students shared there were 12 jurors who listened to the case and then they would go and deliberate. The jurors would not decide if the offender was guilty or innocent; however, they would decide the consequences including doing community service, attending anger management programs, participating in a graffiti abatement program, writing letters of apology, good attendance at school, and improving grades for example.

Superintendent Hay said MetroED would like to offer a "home" for Peer Court here at CCOC in our new model courtroom. Ms. Kyles said they would enjoy being here at CCOC in the mock court room. She said currently they hold the court in the County Board of Supervisors chambers and it can be quite intimidating.

Member Bobay asked how MetroED was going to launch the mock court room. Superintendent Hay said it is ready to go and received the sign-off from DSA on the lift; however, we have not received final sign-off on the building. It has been released so it can be used and we are in the process of purchasing furniture. CCOC's new facilities are perfect for their use.

CCOC Director Fox is already working on a grand opening for the mock model program.

- B. MAEP Student – Assistant Principal Suzi Glass introduced Mohammed Soroushnejad who is a student in Abebe Gelagay's Accounting class.

Mr. Soroushnejad: He introduced himself and shared he has been in the United States for about seven months. He found out about the programs at MAEP through a relative who said the classes provided more than just how to socialize. He said he decided on the accounting classes

as it related to his experiences in his home country. He said he didn't know the regulations in the United States and how businesses run and the classes were very informative. He attended Accounting I and Accounting II, Payroll Records & Procedures, and the relevant software QuickBooks. He thanked his teacher, Mr. Gelagay, and staff who assisted him in completing the classes.

President Canova: He asked what business Mr. Soroushnejad had in his home country. He said he was a supplier and today he received his first job offer.

VIII. SPECIAL ORDER OF BUSINESS

None

IX. PUBLIC COMMENTS

President Canova: He noted that there were no requests to speak under public comments.

X. APPROVAL OF MINUTES

1. **Action Item: Approval of Minutes of Regular Board Meeting of November 9, 2011.**

MOTION: It was moved to approve the Minutes of the Regular Board Meeting of November 9, 2011. M/Chang, S/Biehl, Votes: 6 Ayes, 0 No

XI. CONSENT CALENDAR

MOTION: It was moved to approve consent items # 2 through # 10. M/Biehl, S/Bobay; Vote: 6 Ayes, 0 No

BUSINESS AND FINANCIAL FUNCTIONS

- *2. **Action Item: Approve Monthly Warrant Approval List**

The Governing Board approved warrant registers #62011802-#62011834, dated November 3, 2011; #62011835-#62011867, dated November 7, 2011; #62011868, dated November 8, 2011; #62011869-#62011891, dated November 9, 2011; #62011892-#62011915, dated November 14, 2011; #62011917-#62011947, dated November 17, 2011; #62011948-#62011981, dated November 21, 2011; #62011982-#62011997, dated November 22, 2011; #62011998-#62012033, dated November 28, 2011; #62012034-#62012063, dated November 30, 2011..

- *3. **Action Item: Surplus Items**

The Governing Board approved the list of surplus items in the Board packet. M/Garcia, S/Biehl; Vote: 5 Ayes, 1 No (Gordon)

- *4. **Action Item: Approve Contract for 2012 Legislative Advocacy-School Services of California; \$27,958 plus expenses**

The Governing Board approved the contract for 2012 Legislative Advocacy with School Services of California.

- *5. **Action Item: Approve Agreement of Terms and Conditions with San Jose Police Department for Secondary Employment of Off-duty San Jose Police Officers**

The Governing Board approved the agreement of terms and conditions with the San Jose Police Department for Secondary Employment of Off-duty San Jose Police Officers.

PERSONNEL FUNCTIONS

***6. Action Item: Classified Personnel**

The Governing Board approved the one rehire/reclassification, four hourly extensions, and one election for the 2011-2012 school year.

***7. Action Item: Retired Annuitant Contract; Director of Human Resources-Daniel Gilbertson**

The Governing Board approved retired annuitant agreement between MetroED and Daniel Gilbertson and authorized the superintendent to take any necessary actions.

***8. Action Item: Approve Health Reimbursement Account Adoption Agreement for Retiree Medical Plan**

The Governing Board approved the agreement for the Health Reimbursement Account for retirees and authorized the superintendent to take appropriate action.

INSTRUCTIONAL AND STUDENT FUNCTIONS

***9. Action Item: Medical Apprenticeship Agreements**

The Governing Board approved the medical apprenticeship agreements with Dr. Lo, Dr. Austin, and Way of Wellness for MAEP medical students.

***10. Action Item: Community Classroom Agreements**

The Governing Board approved the agreements with Dr. Manjari Aravamuthan, Dr. Preete Bhanot, and Dr. Joseph Cu to provide on-the-job clinical training to CCOC medical students.

XII. INFORMATION ITEMS

11. Information Item: Quarterly Investment Report as of 09/30/2011

President Canova noted there were no questions relative to the quarterly investment report and Member Biehl noted it was a standard item and it was thoroughly covered in the written report.

XIII. ACTION ITEMS AND REPORTS

BUSINESS AND FINANCIAL FUNCTIONS

12. Action Item: Fiscal Year 2010-11 Audit Report

CBO Gilbertson: He introduced Joyce Peters with VTD to summarize the audit report which was reviewed by the Audit Committee earlier.

Joyce Peters: She said there were no audit adjustments and they have issued an unqualified report. She said along with the audit report was a standard letter where disclosure of irregularities must be reported; however, there were none. The only change was the adoption of the change in fund for GASB 54 and included was Fund 17, Special Reserve.

Vice President Chang: She asked, for clarification, if the reserve was included in the general fund due to flexibility.

Joyce Peters: She said the fund does not meet the definition of special revenue according to Fund 54, GASB 54. She said adult education money is flexible and is not included in the general fund.

Member Gordon: She said on page 21 and 22 in the report is where the differences because of GASB are included and the committed or non-committed funds are noted in the balance sheet and the other point on adult education money is flexible and can be absorbed into the general fund. She said this Board and administration made the decision to not do that for obvious reasons and designated the funds as committed in order to keep them separate. She said on page 62 is where it indicates Fund 17 is absorbed into the ending fund balance.

Vice President Chang: She noted that on page 21 of the report under fund balances, there are five different categories due to GASB 54. She said the notes are very clear on defining the categories. She said prior to the Board meeting, the Audit Committee, including member Gordon, met with the auditors to go over the report in detail.

MOTION: It was moved the Governing Board accept the audit report for fiscal year 2010-2011. M/Chang, S/Gordon; Vote: 6 Ayes, 0 No

Superintendent Hay: He thanked CBO Gilbertson, Fiscal Services Director Mizuno and her staff in fiscal services and all classified staff that worked diligently to ensure we are in compliance with our policies and procedures. He pointed out this was the eighth audit VTD has issued and it is also the eighth unqualified audit.

Vice President Chang: She said the management analysis is one of the best ones she has seen among other school districts she has reviewed. She said it is very clear and provides the information needed to understand the audit.

Joyce Peters: She agreed the management analysis is very good and she thanked the fiscal services staff for their assistance.

13. Action Item: Change Order #002, CCOC Building 200 Health Careers Center-Eternal Construction, Inc., \$61,053.37 (Revised 12/9/11)

Superintendent Hay: He noted there was a change in the amount of the change order and it had been mailed to the Governing Board.

Member Gordon: She thanked the architects, the superintendent, and everyone involved. She said, in her opinion, this was one of the cleanest change orders she had seen. She noted there were no items on the change order that were missed by the architect. The changes were either requested by staff or unforeseen.

MOTION: It was moved the Governing Board approve Change Order #002 in the amount of \$61,053.37 between MetroED and Eternal Construction and authorize the superintendent to take any necessary actions. M/Garcia, S/Bobay; Vote: 6 Ayes, 0 No

Member Garcia: He also noted that the form used made the changes very clear and he appreciated receiving the document. He said there are times it is difficult to follow the changes and this form made it very clear.

14. Action Item: First Interim Financial Report; Fiscal Year 2011-12

CBO Gilbertson: He said since the report had been completed there have been a few changes including the triggers being pulled by the Governor to meet the state budget deficit. He said the impacts on education include elimination of transportation funding and approximately \$13 loss of ADA (revenue limit). He said the impacts do not directly impact MetroED as we pay for transportation out of our own funds; however, there will be impacts to apportionment. He said

the State Allocation Board has approved the allocation of approximately \$222,000 for the last of the Proposition 1D for manufacturing equipment purchases. He reviewed a PowerPoint of the first four months of the operations of the district for the funds. He noted staff is recommending a positive certification based on the first interim report.

MOTION: It was moved the Governing Board accept the First Interim Report and instructed the Board President and District to submit a positive certification to the Santa Clara County Superintendent of Schools. M/Biehl, S/Garcia; Vote: 6 Ayes, 0 No

15. **Action Item: Approval of Master Business Relationship Agreement; Los Gatos-Saratoga Joint Union High School District**

MOTION: It was moved the Governing Board approve the 2011-12 Master Business Relationship Agreement, including Appendices A and B between MetroED and the Los Gatos-Saratoga Joint Union High School District. M/Chang, S/Biehl; Vote: 5 Ayes, 1 No (Gordon)

XIV. EXECUTIVE REPORT/ADMINISTRATIVE REPORTS

MAEP Assistant Principal Suzi Glass:

- On Monday, the Independent Study Program (ISP) staff hosted their traditional thank you to the tutors and volunteers by hosting a Thank You Reception. The reception was attended by two-thirds of the tutors as well as Superintendent Paul Hay.
- Due to a long waiting list for spots in the evening combination GED Preparation and High School class, MAEP opened an additional High School Diploma class in early November. Instructor Peter MacDonald reported three students are on schedule to earn five credits each at the end of this semester on December 15.
- She invited everyone to visit the MAEP tree at Christmas in the Park, Tree # 702. The winning student-generated theme was HOPE, "Helping Out People Everywhere." The ornaments repeat HOPE in English and seventeen other languages including Arabic, Dutch, Spanish, etc.
- The 21st Annual CalWORKs Client Awards ceremony was held Tuesday by the Santa Clara County Board of Supervisors in their chambers. Robert Krueger, a MetroED student who has passed all of his GED tests with an aggregate score of 99% was the honoree. Mr. Krueger is also a current student in CCOC's Video Production and Multimedia classes. He spent his middle and high school years on drugs and turned himself around and started his own auto shop with a partner. When the partner left him with cars to work on, no income and only bills, he took a day job in another shop and completed his original customers' cars in the evening until all commitments were filled. After falling down a flight of stairs and being hospitalized for a month, he tried to find work. Doors were closed to Robert because he did not have a high school diploma. He was very grateful to the state and county for the CalWORKs programs that helped him obtain a GED and giving him the opportunity to get a job to support his wife and children.
- She wished everyone Happy Holidays from the MAEP staff.

CCOC Director Fox:

- We have been sending our former students to Tesla Motors for interviews. John Pardo is interested in our students from Mr. Chukes, and Mr. McTaggart's Auto Body and Paint shops. Lucy Ataide, Career Specialist has been working very closely with the group to ensure that our students have updated resumes and are prepared for their interview.
- Jeff Schmidt, Video productions instructor was honored by Gay Krause of the Krause Center for Innovation, as a MERIT Program leader. Jeff has served as a teacher/leader the past several summers. The MERIT Program seeks to show through qualitative and quantitative measures that engaging technology in the hands of a well-trained teacher can improve student learning. Congratulations Jeff.
- Jeff Schmidt also reported that CreaTV will be airing about a dozen Public Service Announcements from the Video Production class in the near future. On Monday CreaTV visited CCOC and his class offering his students a one year membership to CreaTV and a full course

from a variety of classes to choose from for a fee of \$25.00. Interested students will be able to utilize the HD CreaTV studios, and have their videos aired on one of three cable TV channels for San Jose.

- Next semester, the students in Jeff's class will receive instruction from Adobe professionals at CCOC about every two weeks on subjects such as After Effects, and Typography tricks, etc.
- Alice Rodriguez, Office Assisting reports that one of her students was hired at Stanford University Library and another at Intrepid Electronic Systems as an administrative assistant. One student will be employed at the CCOC campus working as an instructional associate for Mr. Schoeppler, counselor from San Jose USD.
- Michelle Sugden, Dental Assisting instructor reports that 99% of her students passed their State Infection Control exam.
- Chantu Nguyen, counselor at CCOC announced that 137 students attended the College Financial Aid Presentation presented by West Valley and Mission College. Chantu also reported that in January and February, CCOC will have eight FAFSA Workshops with college financial aid specialists that will assist students in filling out the form. One session sponsored by the California Student Aid Commission may allow some participating students to qualify for a \$1,000 scholarship.
- He wished everyone Happy Holidays from all of the staff at CCOC

CBO Gilbertson: He noted it was his last meeting as CBO and he thanked the Governing Board and Superintendent for their support and he appreciated the opportunity to serve in this role. He said he felt confident a very capable person was selected to take on the role in January.

Superintendent Hay:

- He thanked CBO Gilbertson and noted he would be continuing at MetroED part-time as a retired-annuitant for the next six months as Director of Human Resources.
- He wished everyone Happy Holidays.

XV. BOARD COMMENTS

Board Member Gordon:

- She shared a fundraising opportunity she became aware of at a Home and School Club meeting this week where the club is receiving 4% back on purchases through a link at amazon.com. She wished everyone Happy Holidays.

Board Member Garcia:

- He wished everyone Happy Holidays and he hoped staff had a restful and well deserved vacation.

Board Member Biehl:

- He noted this would be his last meeting representing East Side Union HSD. Mr. Manuel Herrera, who has served on the board before, will be starting in January.
- He said the experiences he has had the last three years on this board have been fabulous. He said he will continue to be a fan of what is done at MetroED and he was very supportive of the students, programs, staff and board. He said he would miss everyone but will continue to be a strong advocate for MetroED.
- He announced he was elected the President of the East Side Union HSD Board.

Board Member Bobay

- He wished everyone a Merry Christmas and a Happy New Year.
- He announced he was elected the President of the Milpitas Unified School District Board.
- He thanked everyone for the past year and said he was looking forward to continuing to serve another year at MetroED.

Vice President Chang

- She announced she was also elected as President of her home board, Los Gatos-Saratoga JUHSD and was reappointed to continue serving on the MetroED Board. She has been here since December 2002.
- She said she has learned so much being a part of this Board and she is very happy to be a part of this organization.
- She noted at their last board meeting in her home district, they have contracted with a local television station to start video taping and streaming their meetings beginning in January. She noted the minutes are very comprehensive here at MetroED; however, in her home district parents are not always able to attend meetings and the minutes may not always provide enough information. They will be doing a trial for six months.
- She attended, with Member Garcia, the CAROCP Conference held on November 16-18 and she gained a great deal of knowledge. She did attend a workshop on qualifying ROP courses for A-G requirements and common core state standards and gave the handouts from the meeting to the superintendent.
- She wished everyone Happy Holidays.

President Canova:

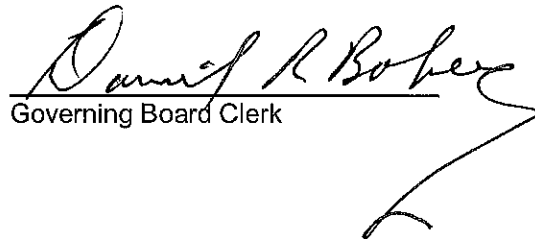
- He congratulated the three members selected to serve as Presidents in their home districts.
- He noted it has been good to be here and receive feedback from his colleagues and he has taken information back to his home board.
- He said it would be his last opportunity to thank the Board for the opportunity to serve as president this past year. He has enjoyed the experience and it has been very educational and informative.

XVI. OTHER MEETINGS

The next regular meeting is scheduled is the organizational meeting including the election of officers to be held on January 18, 2012 at 7:00 PM with closed session at 6:00 PM.

XVII. ADJOURNMENT

President Canova adjourned the meeting at 8:05 PM.


Governing Board Clerk