

# METROPOLITAN EDUCATION DISTRICT

Governing Board Meeting Minutes  
November 18, 2009

## I. CALL TO ORDER/ROLL CALL

The regular meeting of the Governing Board of the Metropolitan Education District was called to order by President Garcia at 7:05 p.m., in the CCOC Auditorium at 760 Hillsdale Avenue, San Jose, California.

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. REPORT OF CLOSED SESSION ACTIONS

President Garcia reported there was no action taken in closed session.

## III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Garcia.

## IV. ADOPT AGENDA

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

## V. RECOGNITIONS

1. Acknowledgement of Visitors - None
2. Acknowledgement of Honors and Awards
  - Superintendent Hay announced that CCOC Director John Fox has been selected as a recipient of the 2009 San Jose Job Corps Service to Youth Award for his outstanding service to the youth in our community. The award will be presented at a luncheon on Friday, December 11, 2009.
  - Superintendent Hay announced that each member of the Governing Board has been selected as a recipient of the 2009 San Jose Job Corps Service to Youth Award for their outstanding service to the youth in our community and would be honored at the luncheon to be held on Friday, December 11, 2009.

## VI. STUDENT REPORTS

- A. CCOC Student: CCOC Director John Fox introduced Laura Mercado, Video Production student. Ms. Mercado shared that she is also a student at James Lick High School and it is her second year at CCOC. Laura attended the Multimedia class last year with Dale Poor. This year she is in Video Production with Jeff Schmidt. She enjoys the class very much and is learning about equipment, web design, producing videos and is very excited about what she is learning in the class. Laura likes making videos and takes Radio and Television Production at her home school. Laura is looking at video production, producing and directing as options after high school.
- B. MAEP Student: None

## VII. SPECIAL ORDER OF BUSINESS

Superintendent Hay requested that Action Item 13: Award Bid for Building 300 Modernization & Program Reconfiguration; Approve Contract with Lowest Responsible Bidder be moved up for board action. President Garcia moved the item up noting no objections.

**MOTION:** It was moved to award the bid for building 300 Modernization & Program Reconfiguration to Coulter Construction, the lowest responsible bidder. M/Biehl, S/Grilli, Votes: 5 Ayes, 1 No (Gordon)

Superintendent Hay introduced Mark Bartos, Bartos Architecture, who was present to answer any questions. At the dais is an addendum to the item. The bids were opened on Tuesday, November 17. There were 11 bidders and 13 companies went on the bid walk. The lowest bidder, Coulter Construction, has contracted with MetroED previously and has also done work for Campbell Union High School and Palo Alto Unified School Districts and received good references. The contract amount is for \$2,479,953 with the project commencing on November 23, 2009. Due to the current economy, the bid is \$826,756 under the Prop 1D approved direct construction budget. There were no questions from the Governing Board.

## VIII. PUBLIC COMMENTS

None

## IX. APPROVAL OF MINUTES

1. **MOTION:** It was moved to approve the Minutes of Regular Board Meeting on 11/02/09. M/Grilli, S/Gordon, Vote: 5 Ayes, 0 Noes, 1 Abstain (Garcia)

## X. CONSENT CALENDAR

**MOTION:** It was moved to approve Consent Items \*2 through \*7. M/Biehl, S/Grilli, Vote: 6 Ayes

### BUSINESS AND FINANCIAL FUNCTIONS

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

The Governing Board approved the following warrant registers: #62003899, dated October 6, 2009; #62003900-#62003950, dated October 8, 2009; #62003951-#62003984, dated October 9, 2009; #62003985-#62004028, dated October 15, 2009; #62004029-#62004066, dated October 16, 2009; #62004067-#62004095, dated October 19, 2009; #62004096-62004135, dated October 21, 2009; #62004136-#62004139, dated October 22, 2009; #62004140-#62004177, dated October 26, 2009; #62004178, dated October 27, 2009; #62004179-#62004229, dated October 28, 2009; #62004230-#62004277, dated October 30, 2009.

#### \*3. Consent Item: Approve Contract for Environmental Consulting Services; Building 300 Building Arts Center (HazMat Doc-\$11,565)

The Governing Board approved the Agreement for Environmental Consulting and Management Services between HazMat Doc.

#### \*4. Consent Item: Surplus Items

The Governing Board approved the surplus of items from CCOC Building 300 that are now obsolete.

## **INSTRUCTIONAL AND STUDENT FUNCTIONS**

**\*5. Consent Item: Approve Medical Apprenticeship Agreement**

The Governing Board approved the agreements with Viet-Hong Bui, M.D., and Mary Jane B. Hutchins, M.D., to provide on-the-job medical training to MAEP medical students.

**\*6. Consent Item: Approval of GED Testing Center Fee Reduction**

The Governing Board approved the reduction of fees for MetroED's GED Testing Center effective November 18, 2009.

**\*7. Consent Item: Approve Community Classroom Agreements**

The Governing Board approved the agreements with Dr. Violetta Faryno and Dr. Minh Quan Huynh to provide on-the-job clinical training to CCOC medical students.

## **XV. INFORMATION ITEMS**

**8. Information Item: First Reading: Philosophy, Goals, Objectives, and Comprehensive Plans, Board Policies: 0000's**

Superintendent Hay shared this is part of the on-going process with the California School Boards Association (CSBA) in bringing the board policies up-to-date. The Governing Board reviewed the Philosophy, Goals, Objectives, and Comprehensive Plans, BP's 0000's. The second reading and adoption will be at the December 9 meeting.

**9. Information Item: First Reading: Community Relations: Board Policies: 1000's**

The Governing Board reviewed the Community Relations, BP's 1000's. The second reading and adoption will be at the December 9 meeting.

**10. Information Item: First Reading: Facilities: Board Policies: 7000's**

The Governing Board reviewed the Facilities, BP's 7000's. The second reading and adoption will be at the December 9 meeting.

## **XVI. ACTION ITEMS AND REPORTS**

### **BOARD AND ADMINISTRATIVE FUNCTIONS**

**11. Action Item: MetroED Nomination for CSBA Delegate Assembly**

President Garcia asked if there were any nominations for the CSBA Director-at-Large positions. Member Grilli nominated Frank Biehl.

**MOTION:** It was moved and seconded to nominate Frank Biehl for the CSBA Director-at-Large position. M/Grilli, S/Chang, Vote: 6 Ayes

**12. Action Item: Adopt Resolution #03-11-18-09, Governing Board Member Remuneration**

**MOTION:** It was moved to adopt Resolution #03-11-18-09 to approve the compensation for Governing Board Members Canova and Garcia for the November 2, 2009 Board meeting. M/Biehl, S/Chang, Roll Call Vote: 5 Ayes, 0 Noes, 1 Abstain (Canova)

Member Gordon: In light of budget issues, it is important that we clearly discuss and explain the rationale for this resolution.

Superintendent Hay: Board policies were changed a few months ago that allow the Board to do a resolution in cases where a board member is unable to attend the meeting and if their alternate is also not able to make a meeting. The Board could adopt a resolution that they would not be marked absent and could be paid. None of the board members will be paid for the October board meeting because there was no meeting that month. That meeting was moved into November which means there are now two meetings in November. The \$240 pay is divided by the number of meetings held in a particular month. If there are only two meetings in the month, the amount would be \$120 for the missed meeting.

Vice President Biehl: If I understand correctly, because the meeting was moved from October to November due to the power failure the board members are not compensated for the October meeting.

Board Member Chang: As in the case for Los Gatos/Saratoga, the alternate was able to attend the November 2 meeting and the \$240 will be divided between the regular member and the alternate. There is no cost to the district for the October meeting.

Vice President Biehl: The interpretation of the board policy is the payment is for the meetings held and not when the meeting was suppose to be held in.

Superintendent Hay: That is correct.

Vice President Biehl: Can that be overwritten by resolution?

Superintendent Hay: I am not sure if that can be done.

Vice President Biehl: I will support the resolution on the table.

Member Gordon: I just wanted to make sure that there was an explanation given and that there are no additional monies being spent. In my opinion, we typically have one board meeting a month anyway, so you are attending a board meeting in November, I have no issues but thought it should be discussed and explained.

President Garcia: We are actually saving money since we did not have a meeting in October.

## **BUSINESS AND FINANCIAL FUNCTIONS**

### **13. Action Item: Award Bid for Building 300 Modernization & Program Reconfiguration; Approve Contract with Lowest Responsible Bidder**

The item was approved under special order of business.

## **XII. EXECUTIVE/ADMINISTRATIVE REPORTS**

### CCOC Director Fox:

- Nancy Boring and Victoria Straubinger, Medical Assisting instructors, had all of their students complete the American Heart Association Health Care Providers requirements for CPR/AED. The students will receive certificates for their efforts.
- Jimmy Walker, Automotive Careers instructor, is offering a class for MetroED employees, "Get to Know Your Car Class", on Saturday, December 12 at CCOC Building 500. The class will help employees keep their cars on the road and safe.

- A number of students participated in the Santa Clara County Office of Education CTE Conference held on Friday, November 13. The students greeted attendees as they arrived and shared their thoughts on CTE and CCOC.
- Gina Fleming and Michelle Sugden, Dental Assisting instructors, are applying for the Dental Board of California certification in infection control. This will allow students after completing and passing a practical and written exam the ability to get a certificate. The program will now be able to give three certificates at the end of the school year; two of these are needed to become a licensed dental assistant.
- Former Video Production student, Anna Rosa Melendez has participated in a grant with Next Vista for Learning.org, a non-profit organization. Anna and her instructor Jeff Schmidt created 25 Career Focus/Informational videos for the organization. Anna received the Distinguished Content Creator Award from Next Vista for Learning.org and will receive \$2,000 in equipment as well as the Video Production class will receive \$3,000 in equipment.
- A Video Production student and students from Dale Poor's Multimedia class worked together to video tape Assembly Member Jim Beall, Jr. at a local town hall meeting.
- Christine Smith, Veterinary Assisting instructor, will have an equine veterinarian visiting her class on December 4 to perform several procedures on horses. One horse will have a small mass removed from the neck, the teeth floated (filed) and x-rays taken on the jaw from a previous injury. Another horse will have the teeth floated as well. Both horses require sedation.
- Jeff Schmidt will be setting up two remote sites to allow for additional students to view presentations.
- Sara Crowder, Managerial Accounting instructor, will have one of her students train at ESS Professional Services for 15 hours a week and is a member of the Employer Advisory Board.
- Rico Sciaky, Law Enforcement instructor, received word that former student Lorenzo Sereno was given a conditional offer of employment with the Santa Clara Department of Corrections as a correctional officer. This followed a seven month background check including polygraph and psychological.
- Chantu Nguyen, Vocational Counselor, reported last week, 108 students attended an informational meeting and applied for the Enterprise Leadership Conference (ELC) to be held in March 2010. The three-day, all expense paid trip to Asilomar is to learn leadership and business skills. The conference is sponsored by the San Jose and Los Gatos Rotary. This is the fifth year for CCOC to participate.
- Starting last month (October) and through the end of the school year there will be at least one college representative at CCOC each week.
- Evergreen Valley Community College will host an application workshop for CCOC students. The goal is for the students to receive early admission and priority registration.
- MeriWest Credit Union is partnering with CCOC and will offer workshops for students on Budgeting and Credit Myths.

MAEP Director Sylvia Karp:

- The adult education program has been looking for ways to help our districts during these difficult economic times and partner with our districts to help with their high school students. This year the concurrent classes are swamped with students and part of the reason is due to the districts not having summer school. The students are getting backed up in credits and beginning to worry about future graduation dates. Director Karp and the MAEP Assistant Principals met with groups from Campbell Union High School District and San Jose Unified High School District over the past few days to talk about how MAEP might better serve our common students in the summer time. MAEP was not planning on having any summer school this year; however, this would be a good way to use instructional hours to help our school districts by offering summer school. It would be a five-week summer school.
- In the Campbell UHSD, they met with the advisors and deans of all the high schools and with the Assistant Superintendent of Instruction & Curriculum and the Director of Assessment. The discussions revolved around a summer credit recovery program as well as ways to help with the student dropout rate. When students do not graduate, they attend adult education the following year. If the students are on the high school rolls on the last day of school they

are designated as dropouts. We are recommending an orientation class MAEP could do the last week of the district's high school year for those students not graduating. They would do the assessment for classes for the coming year, meet with counselors and get an orientation into adult education. If those students are moved to adult education before the end of the year then they are not dropouts for the district. The district staff was enthusiastic about this possibility and it is a way to get students who are not graduating a second chance.

- At San Jose USD, they currently have options for students who are not going to be graduating but were interested in increasing the number of summer classes that MAEP could provide for them. There was discussion of doing the credit recovery classes at the high schools in the summer using their teachers, their curriculum and their materials at the high schools with adult education paying for the teachers. This would allow MAEP to provide more courses than could be taught at the current sites available. They were very interested in this option as there are approximately 2,000 students that attend summer classes in SJUSD. If MAEP offered these classes only at our current sites, we would only be able to accommodate one tenth of those students.
- On December 12, from 1:00-3:00 PM, at the Erikson Adult Education Center, there is a free garden workshop by Master Gardener Bader Kudsi on how to graft fruit trees to increase the harvest and allow for more than one variety of fruit to be grown on one tree.
- On Friday and Saturday, November 20 and 21, we are finally moving into MC Village. Teachers and students will be starting their new classes after the Thanksgiving holiday. Teachers will be putting their classes together on Monday and Tuesday next week and the students will be having a one week holiday.

#### MetroED Interim CBO Daniel Gilbertson:

- To follow up on Director Karp's comments, this is a week of celebration for MetroED and the future of this organization and as a provider of education to our districts. In the same week, the MC Village construction project will be completed and Tuesday the bids for the 300 building at CCOC which is the first of the major Prop 1D projects was done. These are positive occurrences for the future here for MetroED and its programs. Personally, to the Governing Board and Superintendent, I want to thank you for supporting these programs in tight times. There are concerns at times for the expenditure of money for facilities when there have been staff layoffs. We have had the opportunity due to years of planning on your part and staff planning to improve the facility and programs for our students. If we had lost this opportunity, it would not come around again for many years. Thank you for supporting the staff and it strongly says that we are moving ahead and we are going to be able to provide better educational programs for our students as well as safer, more comfortable facilities for students to learn.
- Debby Mueller has been hired as the Human Resources Administrator replacing Eliza Nunez who resigned to take a position by the City of Milpitas.

#### MetroED Superintendent Paul Hay:

- The Santa Clara County Civil Grand Jury has requested we supply them with information related to their latest investigation of Santa Clara County school districts policies and procedures for all the districts in the county. That information was hand-delivered to them yesterday, November 17, 2009 and we have a receipt for the delivery. A copy of the transmittal letter is at each board member's place at the dais.
- A copy of the Education Coalition report which was released yesterday is at the dais for each member on cuts to schools. The Coalition reports on the \$17 billion in state-wide cuts to California public schools.
- Also at your place at the dais, the Ed Source report on multiple pathways in California regarding emerging options for school reform.
- A copy of the Power Point presentation done at the Santa Clara County Office of Education CTE Conference on Friday, November 13 on "Other Ways to Win". A copy of Gregory Cabrera's study on Successful Students and Regional Occupational Centers and Programs in Santa Clara County. Mr. Cabrera is our Business Partnerships Coordinator. It is a very good report and is based on interviews he did with successful CCOC graduates.

- The copy of the Legislative Analyst Office (LAO) Report on the outlook for California that was released today. It says that over the next 18 months, we have a \$20.7 billion shortfall that has to be covered by the Governor and Legislature in the budgeting process and urged them to get started on this problem immediately.

Member Chang: She asked President Garcia if she could ask clarifying questions regarding the contract approved earlier in the evening for building 300. On the second page of the addendum for awarding the bid, the total construction budget is \$3,306,709 and on page one in the board packet it shows the total is \$2,956,302 Why is there a difference for the total cost?

Superintendent Hay: The total cost of the project is actually \$4,278,380. That is broken down into hard costs (construction costs) and soft costs (indirect costs). On the back of the addendum is a breakdown for the entire project and is part of the estimates that were approved as part of the Prop 1D grant application. It includes allowances for solar and roof patching and they are not part of this bid. There are indirect costs including architectural fees, Haz-Mat Testing, and other items. They add up to the \$4.278 million. The bid was for the direct construction costs. It was a good bid and we will save \$826,756. It may be possible to do some upgrades for fencing, etc. with the savings. It will be \$400,000 that will be repaid to the state and \$400,000 that will be retained by MetroED.

Member Chang: When you applied for the state matching grant, there is flexibility provided there. If there are extra things that we are adding that were not presented in the grant, what happens.

Superintendent Hay: It depends on the construction market. It could be the other way around. In years past, when estimates had been made for projects and the bid came in higher, there is not that flexibility. We can do upgrades on some of the items in the grant if there is funding available.

### **XIII. BOARD COMMENTS**

- Member Gordon: She wished everyone a Happy Thanksgiving. Today, she had the opportunity to spend time at Campbell Union HSD alternative school, Boynton. It is currently going through what is similar to a comprehensive high school distinguished school process, a model school. There are 75 continuation schools in California and Boynton would become 76.
- Member Chang: She was absent for the last meeting at a retreat and wished everyone a Happy Thanksgiving.
- Clerk Canova: He was absent at the last meeting due to a conflict with his schedule and wished everyone a Happy Thanksgiving.
- Vice President Biehl: Along with President Garcia, he attended the SCCOE CTE Conference last Friday and it was done very well. It was very worthwhile and he received some good information.
- President Garcia: The CTE Conference was excellent. Ken Kay was the keynote speaker and did a wonderful job talking about the importance of career technical education and preparing students for the 21<sup>st</sup> century. It really resonated with the administrators and counselors from San Jose USD and he has received only positive feedback. He downloaded the presentation and it has a lot of powerful information that helps articulate the message we are trying to do. He shared it with his son, a former graduate of CCOC, and he agreed with what was in the report. He now sees the importance of being a self starter and the analysis of being an independent thinker now that he is in the working world. He also attended the Employer Advisory Board meetings here at CCOC and was impressed with how the community came together to help us with the job of educating the students for the future. In one of the individual meetings he attended, they discussed the need for students to be on time for work and the importance of collaboration. I am also enthusiastic about what is happening here at MetroED and what the future holds for our students. He also wished everyone a Happy Thanksgiving.

**XIV. OTHER MEETINGS**

Regular Meeting, December 9, 2009

Closed Session 6:00 pm

Open Session 7:00 pm

**XV. ADJOURNMENT**

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

President Garcia adjourned the meeting at 7:55 p.m.

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Jim Canova, Clerk of the Board