

METROPOLITAN EDUCATION DISTRICT  
Board Meeting  
August 23, 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 Vice President Diane Gordon at 6:00 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 (absent)

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: 6:02 p.m.; Closed Session adjourned at 7:00 p.m.

4. REGULAR MEETING (continued) LOCATION  
Regular session of the Board meeting reconvened at 7:02 p.m.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Member Grilli.

6. REPORT OF CLOSED SESSION ACTIONS

No actions were taken in closed session.

7. ADOPT AGENDA

Motion to adopt agenda, Mann; second Dossa; vote unanimous

8. SPECIAL ORDER OF BUSINESS

9. PUBLIC PRESENTATIONS & REPORTS

9.1 Public Comments

10.0 APPROVAL OF MINUTES

10.1 Action Item: Approval of Minutes of Regular Board Meeting, June 28, 2006.

Motion to approve June 28, 2006 Board meeting minutes Mann, second Dossa, vote unanimous

11.0 CONSENT CALENDAR (11.1.1 through 11.3.2)

Motion to approve consent calendar Mann, second Grilli, vote unanimous

Consent Calendar Items approved:

- 11.1 BUSINESS AND FINANCIAL FUNCTIONS
  - 11.1.1 June Board Warrant Approval List
  - 11.1.2 July/August Board Warrant Approval List
  - 11.1.3 Change Orders #001 and #002 to contract for reconfiguration and upgrade of CCOC building 700 (Vitton Construction Company, Inc. - \$30,861)
  - 11.1.4 Agreement for Services of "Inspector of Record" for Building 700 modernization (System3)
  - 11.1.5 Revised Authorization to Proceed for architectural services: Transformer Replacement Project (CSS Architects, \$55,470)

11.2 PERSONNEL

- 11.2.1 Certificated Personnel
- 11.2.2 Classified Personnel
- 11.2.3 Administrative Personnel

11.3 INSTRUCTIONAL AND STUDENT FUNCTIONS

- 11.3.1 Williams Uniform Complaint Procedures Report
- 11.3.2 Community Classroom Agreement

**End of Consent**

12.0 INFORMATION ITEMS

- 12.0.1 Final Attendance (ADA) Report for 2005-06  
Assistant Superintendent Paul Hay that CCOC exceeded their 2005-2006 ADA by 44.3; MAEP ended the year under cap by 122.53 ADA.

13.0 ACTION ITEMS AND REPORTS

13.1 BOARD AND ADMINISTRATIVE FUNCTIONS

13.2 BUSINESS AND FINANCIAL FUNCTIONS

13.2.1 Monthly Budget Update; 45-Day Update

Motion: That the Governing Board approve the budget changes included in the Monthly Budget Update for the period ended 7/31/06 Grilli, second Garcia, vote unanimous.

13.3 PERSONNEL FUNCTIONS

- 13.3.1 Action Item: Adopt Resolution #01-08-23-06 to reduce or reassign Classified workforce

Motion: That the Governing Board adopt Resolution #01-08-23-06 to reduce or reassign classified workforce, give notice of reduction or reassignment to appropriate employees, and authorize the Superintendent to take any necessary actions by Garcia, second Dossa, vote unanimous.

Discussion:

Dan Gilbertson, HR Director explained that we are in the process of reducing costs at MetroED; this month we have reduced 1.0 FTE position in the IT department and .75 FTE lab assistant position.

Member Mann asked if this has been passed by CSEA without repercussions. Gilbertson responded yes it has.

13.4 INSTRUCTIONAL AND STUDENT FUNCTIONS

- 13.4.1 Action Item: Approve Criteria for closing CCOC classes

Motion: That the Governing Board approve the Criteria for Closing CCOC Classes Mann, second Garcia, vote unanimous.

Discussion:

CCOC Director, John Fox that the criteria will provide for accountability for class size, support the JPA districts, and fill the classes with high school students.

Superintendent Hallett noted that the criteria are listed in the order of priority.

Member Garcia noted that the first criteria had to do with maintaining ADA and if a class happened to be down in ADA one year, would it be closed after one such year or would there need to be a history of low ADA. Director John Fox explained that we selected 40 ADA which is not a particularly high target to reach. Superintendent Hallett said that we also look at trends in the classes and attempt to make adjustments; we might also consider making a class a part-time class.

Member Garcia also commented on criteria 2 which states that the class must be responsive to the needs of the district by serving primarily high school students. Mr. Garcia wanted to know how much control the teachers have over the student enrollment. Mr. Fox replied that some teachers are more aggressive than others in this area; however, we do give the teachers support by sending Program Representatives to the districts and Sylvia Evans assists in this respect, also. Superintendent Hallett reminded the Board that this has number one priority for enrollment.

13.4.2 Action Item: JPA Executive Council Meeting/Equalization Update

Motion: That the Governing Board approve the compromise agreement, the CCOC operations time line for 2006-2007, and the \$300,000 distribution of funds in accordance with the proposed methodology.

Superintendent Hallett provided background to the Board that there have been two executive council meetings with district superintendents and business officers. As a result of these two meetings the outcomes are being brought to the Board for their input. Superintendent Hallett has recommended that the board vote on the three following items: The Compromise Agreement, the methodology for distribution of \$300,000, and the CCOC operational timeline for 2006-2007.

Discussion:

Superintendent Nunez and Superintendent Farber agreed that the governance issue cannot be considered a separate issue from the master business agreement and hoped that these will be taken care of at the same time when the CBOs convene their September 15 meeting. Superintendent Hallett commented that there might also be an amendment to the JPA required.

Superintendent Nunez said that East Side disagrees with the terminology of "subsidy", but that they do agree with the methodology of the \$300,000 distribution and the percentages of ADA. We feel that the CCOC Operations timeline is premature at this time, and we are not supportive of this item. In response to the governance issue, JPA articles 11.5.1 and 20.1, there seems to be some question as to who has the authority. East Side wants to be a member of the JPA, but we want to look at the administrative costs.

Superintendent Farber: As to the CCOC Operations timeline, I am concerned about the notification piece because if any district decides to not send a large percentage of students to CCOC then it has an effect on all districts. We also want to have the in-kind agreement looked at; we want to pay for what we use and the same goes for the lottery revenue in-kind services. This needs to be equalized so that we are all giving at the same level per student attendance.

Member Mann said that he would be supporting the first item (districts currently being "subsidized" will pay designated percentages in 2006-2007 through 2009-2010 and that it can be a combination of dollars, ROP or a combination). Mann will also support the distribution of the

\$300,000 according to the proposed methodology; however, he will be unable to support the proposed CCOC Operational Timeline for 2006-2007.

Superintendent Hallett suggested that there be three separate votes; one vote for each of the three items.

Member Garcia said that he would like the superintendents and the CBOs for their work and their collaboration.

Member Grilli said that a commitment has been reflected in the work that has been done for the support of students and programs.

Member Gordon said that she did not see how this Board could vote on these items, because each of the Superintendents needs to sell these items to their own Boards; if they cannot sell their Boards, what have we accomplished here tonight. The Superintendents need to deal with the governance issues and some extensive work needs to be done. We cannot continue to deal with the issue that paralyzes our decision-making ability in this organization. The in-kind lottery/revenue agreement also needs to be part of these actions.

Member Mann asked where the CCOC Operational dates came from. Ann Jones, CBO San Jose Unified said that the dates are based on budget development timelines that all districts must deal with.. Superintendent Farber commented that each of us deals with the same issues during budget times.

Superintendent Nunez said that until this year there has been no agreement about notification. He agreed that the in-kind lottery revenue agreement needs to be dealt with.

Superintendent Hallett said that perhaps we could get confirmation from the board as to the concepts. Maybe we don't need to vote at all. This Board could take action by voting on the \$300,000 distribution.

Assistant Superintendent Hay said that he feels comfortable with the distribution of the \$300,000 as long as it is not an on-going distribution. He said, further, that MetroED had made cuts and reserved these funds to help solve the equalization issue. I had some reservations in distributing the dollars if East Side chose to leave the JPA. We would then need all of the \$300,000 here at MetroED to help soften the financial blow. The second item of concept was the AB2448 which has now been resurrected and expected to be passed. I can work with these terms as long as the \$300,000 is not an ongoing commitment.

Member Garcia moved conceptual approval on all three items (Compromise Equalization Agreement, \$300,000 distribution of funds, and CCOC Operational Timeline for 2006-2007); that the Superintendents keep moving in this direction and continue to work on these items; second by Dossa; vote, unanimous

Superintendent Hallett thanked the Superintendents and CBOs for coming to the meetings and commented that it is amazing how much we can accomplish when all people are present. Hallett also thanked Superintendents Farber and Nunez; San Jose Unified CBO, Ann Jones and Campbell Board Member, Pamela Parker for coming to tonight's board meeting.

#### 14.0 EXECUTIVE REPORT/ADMINISTRATIVE REPORTS

Assistant Superintendent Paul Hay reported on departmental items of significance.

- Building 700 renovation is nearly complete; classrooms are ready with the exception of Forensics which will be complete by the 5<sup>th</sup> or 6<sup>th</sup> day of school. We have the Forensics class set-up in temporary quarters. We are looking forward to an open house to show off our building renovations and the new Law Careers Academy.

Superintendent Tim Hallett reported significant information to the Governing Board on topics not on the agenda.

- AB2448, legislation that deals with sequencing of ROCP programs, limits adult participation in ROCP classes to 15%, contracting with community colleges and accountability systems for ROCP, we thought was dead, has re-surfaced. Superintendent Hallett said that he has been conflicted over the bill because there are many parts of the bill that he supports; however, it means adding a huge bureaucracy in implementation which could be very problematic.

15.0 BOARD COMMENTS

- Member Mann informed the Board that he has three more meetings with the East Side and MetroED boards. He will be representing District 6 on the Santa Clara County Board of Education. He said that it has been a pleasure serving with the Board members.
- Member Garcia said that he was very impressed with the work that is being done in Building 700 and that he is looking forward to seeing the finished product.
- Member Gordon congratulated Craig Mann. She emphasized how important it is to do everything the Superintendent can do to deal with the governance issue; we cannot afford to be paralyzed like we have been again. She feels that there ought to be one master business agreement for all districts, not individual ones, with appendices attached.

16.0 Advanced Planning

17.0 Other Meetings

Regular Meeting, September 13, 2006

Closed Session  
Open Session

6:00 pm  
7:00 pm

18.0 ADJOURNMENT

Motion to adjourn by Mann, second Dossa, vote unanimous

Meeting adjourned at 8:00 p.m.

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Marsha Grilli, Clerk/date