

# METROPOLITAN EDUCATION DISTRICT

## Governing Board Meeting Minutes February 16, 2011

### I. CALL TO ORDER/ROLL CALL

The meeting of the Governing Board of the Metropolitan Education District was called to order by President Canova at 7:00 p.m., in the CCOC Cafeteria (The Hub), San Jose, California. Superintendent Hay introduced Doug Ramezane, Alternate Board Member from Los Gatos-Saratoga UHSD.

All Members present, except when noted "absent":

Frank Biehl	East Side Union High School District
Jim Canova	Santa Clara Unified School District
Doug Ramezane	Los Gatos-Saratoga Union High School District Alternate
Richard Garcia	San Jose Unified School District (7:30 PM)
Diane Gordon	Campbell Union High School District
Daniel Bobay	Milpitas Unified School District

### II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Canova.

### III. ADOPT AGENDA

**MOTION:** It was moved to adopt the agenda. M/Biehl, S/Bobay; Vote: 5 Ayes, 0 No, 1 Absent (Garcia)

### IV. RECOGNITIONS

A. Acknowledgement of Visitors

None

B. Recognition of Individuals who have "Raised the Bar!"

Superintendent Hay recognized CCOC February Teacher-of-the-Month, Peggy Nutz for outstanding implementation of the California Teaching Standards 1.2,1.4,2.3,2.4,3.3,3.4,4.1, 6.2, and 6.5, teaching her students using a variety of instructional strategies to meet the needs of all students and engaged students in problem solving that provides meaning for the subject matter.

Superintendent Hay recognized Kurt Cheetsos for the Construction Trades Student Conference held on January 12. Students in the Carpentry, Electrical Maintenance and Air Conditioning & Refrigeration classes participated in a day-long student conference.

### V. STUDENT REPORTS

- CCOC Student: CCOC Director John Fox introduced two students from Pat Haney's Metal Technologies/Welding class: Joseph Call and Michael Jennelle. The students are from San Jose Job Corps. Mr. Haney was unable to attend the meeting. Mr. Fox said there are approximately 250 to 280 students from Job Corps that attend classes at CCOC each day. Mr. Haney had shared with Mr. Fox that Mr. Call is a second year student and is the "go to" person in the shop and a Skills USA state finalist. He takes Welding in the morning and is in the CNC Machine shop in the afternoon. Mr. Call is a first year student and is a good welder and fabricator and came to the class with prior experience in welding and attends the morning class.

Joseph Call: He said he came to get welding training and he was completely blown away by Pat Haney's teaching style. He said Mr. Haney is not very hands on, he lets you learn and if you have trouble you go to him and he will show you how to do it. He said it works out really well. He said he works on projects around campus and he has learned all aspects of welding and fabrication. He said it is a really great class.

Michael Jennelle: He said he came to the program last year not really expecting very much because people had told him it was a laid back class. He said he learned very quickly how to do welding and also learned how to become a leader in the class. He said other students come to him asking questions on how to do the welding. He said he had been in the automotive class and one of his passions since 14 has been working on cars.

Superintendent Hay: He asked if either of the students had received any industry certifications. They said the certifications only last six months so they are waiting to get certifications in various areas closer to the end of the school year.

- MAEP Student: Suzi Glass, Assistant Principal for the Metropolitan Adult Education Center introduced Eric Misenhimer, Curriculum Specialist and Coordinator for the Capitol High School Program and Teacher.

Eric Misenhimer: He apologized his student speaker had not arrived; however, there were several students who had requested to speak under Public Comments. Each year, Capitol High provides a report to the Governing Board. This is the 20<sup>th</sup> year Capitol High has been providing services to high school students. Over the past 5 years, there are 120 students (approximately 24 per year) who have made up the necessary credits to graduate at their home high school. The students spend half of their day on academic subjects and the other half of the school day learning a skill at CCOC. This year, five students have completed their credits and graduated and there are another 20 that will be finishing and able to graduate with their peers at the end of the school year. Capitol High School has a 90% attendance rate and the students are required to be in school from 7:30 AM to 3:30 PM. There are seven students on the wait list. Due to the budgetary situation, there will be no room to continue the program for next year; however, he understands there are options being explored. He said in the eleven years he has been at Capitol High School, he has seen improvements each year.

## VI. SPECIAL ORDER OF BUSINESS

None

## VII. PUBLIC COMMENTS

President Canova: He read the disclosure regarding public comments and he asked the superintendent to introduce each speaker. Each speaker would have two minutes to address the Governing Board.

Peter Mac Donald: He said he was a teacher at the Erickson Adult Education Center. He said he spoke at the last meeting and he asked about a specific plan for the MAEP program. He said as of this date, he was not aware of any concrete plan for the future. He said that he did not know what \$1.7 million would look like for next year, how many classes, what the organizational chart would look like, and the impact of the grants. He said there was a staff meeting on February 8 where the information provided was the same as they already knew. He said the only new information was regarding AB 189 to protect 65% of adult education funds and there would be a legislative forum on March 4 and that all positions would be laid off at the March meeting, and names would be brought to the May meeting. He said they were also provided a flyer from Mr. Gilbertson regarding workshops to provide assistance with getting a job. He asked again for what the specific plan would be for MAEP and what are the timelines?

President Canova: The Brown Act does not allow us to respond; however, staff may want to respond at this time or after hearing from the other speakers.

Superintendent Hay: He said he did not wish to respond at this time; however, he did want to clarify that the March Legislative Forum is not a MetroED event. It is a California Council for Adult Education (CCAЕ) event and it will be held here in the cafeteria on March 4 and they have invited a number of legislators here to discuss the problems of adult education.

Giuseppe Sanfilippo: He said Capitol High School was his last resort in completing high school and he was also able to take classes at CCOC. He said without this program, a number of students would not be successful and as Mr. Misenhimer said earlier, please explore all the options.

Jamie Davila: He said he is a Capitol High School student and the program also allows them to build on a career for the future at CCOC. He said the staff makes them feel like a student and he feels he will be able to graduate on time.

Danielle Wright: She is a former Capitol High School student and she came to talk about the future of Capitol High. She said she struggled and was not doing well in school. She heard about the school and said it changed her life. She said she took the Dental Assisting program at CCOC and is now a dental assistant and working to get registered and is going to Foothill Community College to be a dental hygienist. She said she now has hopes, dreams and goals. She said not all students are able to make it in a traditional high school and was very supportive of the program.

Priscilla Wright: She said it was her daughter Danielle that just spoke and she said they did have struggles trying to get Danielle to go to school. She said Capitol High School definitely helped her daughter and others and the staff definitely provided support for the students to be productive and graduate. She said the CCOC link has been very beneficial as well and she did support keeping the program.

Maureen Marquard: She was also a student at Capitol High School and shared the staff are doing an amazing job. She said she was truant and behind 150 credits when she came to Capitol High. She said she is now on her way to getting her AA degree and she could not have done it without this program.

Dani Alvarez: She said Capitol High School is the third school she has attended and she said she now enjoys going to school and the staff has been very supportive and her parents are happy with the transformation.

Carlos M: He said last year was his first year at Capitol High School. He said if it was not for this program, he would be a drop out and the staff gave him a second chance to be successful and graduate. He said the regular high school setting is not a fit for everyone and he strongly supports the Capitol High School program.

Jasmine Paredes: She said she was here to support Capitol High School. She said she didn't do well in math; however, with the help of her instructor, she is doing very well and she will be graduating. She said it is a good program for students who do not do well in a regular high school setting.

Alyssa Alvarado: She said Capitol High School is her fourth high school. She was kicked out of the other schools and this is the first program she has stayed with and she said staff is very supportive of helping you as an individual to ensure that you understand what you are learning. She said without this school, she didn't know what she would be doing. She said it is a good school and she was supportive in keeping it open.

President Canova: He said that all of the student speakers this evening did an awesome job and he thanked them for taking the time to speak to the Board.

Member Biehl: He wanted to note for the record that Clerk Bobay was using his cell phone as the timer to ensure each speaker was allotted the correct amount of time to speak this evening.

Superintendent Hay: He said Capitol High School has been around for 20 years and it is an adult education program for high school students. It is run through adult education due to the credentialing requirements. He said Capitol HS is a last chance alternative school and he said it is super they have 90% attendance. He said this is not found in alternative schools. He asked Eric Misenhimer and Cheryl Dustin to stand up and be acknowledged for the outstanding work they do each day for the students who attend Capitol High School. He said it is not a question of funding for this program, the districts that send the students pay the cost of the program. He said the program is not subsidized by CCOC or the adult education program and it is fully paid for by the districts. He said most of the students come from San Jose USD and a few come from Campbell UHSD. He said the issue is space for the school here on campus. He said administration was looking at the options for consolidating the adult education program on this campus with the decision of the San Jose USD Board taking back \$3.5 million of the adult education funds. He said the Hillsdale location was selected because we do not pay rent and space was limited. However, since that time, there have been some alternatives in terms of space that may become available. He said he could not make a commitment that there would be space at this point, but we are hopeful that we may be able to come up with space so that we can keep the program for next year. He said much of this is dependent upon the passage of the Governor's tax extension proposal that is hopefully going to be on the ballot on June 7. He said if that doesn't go on the ballot or if it goes on the ballot and it is not passed by the voters, we have already been told by San Jose USD that it is very likely that they will take all of the adult education funding. He said at that point it would be difficult even though there would be the space, we couldn't afford the administrative costs associated with running the program. He said later in the agenda there is an item relative to the tax extension proposal; however, he hoped those who came to speak would keep this in mind when they go to the polls in June. He thanked Eric and Cheryl for their fine work and said it showed with the students who came to speak this evening. He said they are our students on both sides of the house, both MAEP and CCOC.

#### VIII. APPROVAL OF MINUTES

1. Approval of Minutes of Regular Board Meeting on January 19, 2011 and the special Board Meeting on January 31, 2011.

**MOTION**: It was moved to approve the minutes of the January board meetings. M/Garcia, S/Biehl; Vote: Unanimous

#### XIII. CONSENT CALENDAR

**MOTION**: It was moved to approve Consent Items \*2 through \*6 with the removal of Item # 4 at the request of Member Gordon. M/Biehl, S/Bobay; Vote: Unanimous

#### BUSINESS AND FINANCIAL FUNCTIONS

##### \*2. Action Item: Approve Monthly Warrant Approval List

The Governing Board approved the following warrant registers: #62008857-#62008897, dated January 3, 2011; 62008898-#62008940, dated January 5, 2011; 62008941-#62008991, dated January 10, 2011; #62008992-#62009038, January 12, 2011; #62009039-#62009069, dated January 18, 2011; #62009070, #62009121, dated January 20, 2011; #62009122-#62009156, dated January 25, 2011; #62009157-#62009202, dated January 26, 2011; #62009203-#620999230, dated January 31, 2011..

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

The Governing Board approved to surplus the technology equipment listed in the Board packet as they are now obsolete and have no remaining value.

**INSTRUCTIONAL AND STUDENT FUNCTIONS**

**4. Action Item: Approve Memorandum of Understanding (MOU) with Circle of Independent Learning Charter School**

Superintendent Hay: He said the MOU has to do with a Fremont Unified School District chartered school for parents that have chosen to home school their students. The parents had requested their children attend CCOC and it was denied as the district is not in our service area; however, there is one student in our service area that has requested to attend. We are required to provide services for any high school students who live in our service area.

Member Bobay: He asked if this was for only one student and the superintendent confirmed this was correct.

Member Gordon: She asked the item to be removed and she would be supporting the item; however, there were points that she wanted to get on the record as they have been concerns in her home district. She said the one concern is how the services are paid for. As we are aware, charter schools get the ADA from their home district and CCOC operates the ROP to support the CCOC program. She said there is a delta that is typically unaccounted for; however, item #10 on the agreement clearly states that CCOC is retaining the revenue limit, lottery, and any categorical income earned. She said for anyone who had any concerns, the item has been addressed in the agreement.

Superintendent Hay: He said for further clarification, the charter will receive the ADA for that student just as it does in the participating districts. He said when the student comes to CCOC, prior to flexibility there was a difference in the amount generated and those funds came to CCOC. He said the funds were all block granted and there was no difference and that was the issue. He said if a student wants to come to CCOC outside of the service area, we enter into an MOU and charge them; however, if they live in our service area, there are no additional funds coming to CCOC unless there are lottery funds or additional ADA reported.

Member Bobay: He said item #10 of the agreement stipulates the ADA resulting from attendance at CCOC shall be reported through one of the JPA six participating districts. He asked which district.

Superintendent Hay: It is reported through Milpitas USD and it is part of the Master Business Relationship Agreement (MBRA). The MBRA's each state the lottery funds generated by adult students are passed through by the districts to MetroED.

**MOTION**: It was moved to approve the 2010-11 Memorandum of Understanding with the Circle of Independent Learning Charter School. M/Biehl, S/Gordon; Vote: Unanimous

**\*5. Action Item: ROCP Course Review**

The Governing Board reviewed the information regarding the ROCP courses listed and approved the courses for ROCP recertification.

**\*6. Action Item: Medical Apprenticeship Agreement**

The Governing Board approved the agreement with Farda Qureshi, M.D.

## XI. ACTION ITEMS AND REPORTS

### BOARD AND ADMINISTRATIVE FUNCTIONS

#### 7. Action Item: MetroED General Obligation Bonding Authority

Superintendent Hay: He reviewed the history regarding bonding authority and the JPA agreement section. Education Code does not consider MetroED a school district for the purpose of issuing general obligation bonds and taxing authority. He said the six participating district superintendents had requested to review any language proposed to correct the Education Code prior to bringing it to the Governing Board as a legislative priority. The Executive Council met on February 2; three of the superintendents said MetroED should move forward with correcting legislation to allow for bonding authority, and three said no. He said he was not recommending moving forward with a bond, just correcting the issue of authority. This would provide organizational for the future. He said the capital facilities belong to the JPA; however, there is no way to maintain the facilities without using general fund money and/or getting support from the state as was done with Proposition 1D. We do have to provide a 50% match. He said he knows that using general fund money has been a concern of some board members. He said the JPA superintendents and CBOs have been clear that the cost of maintaining our facilities is MetroED's problem.

President Canova: He asked if the superintendent could explain the legal argument against MetroED being a school district and the logic behind that from his perspective.

Superintendent Hay: He said the Education Code defines what a school district is and MetroED has been working to change the language to include JPAs as school districts for all purposes. He said the legislature, the Department of Finance, and the California Department of Education were not supportive of doing that. We were successful in getting legislation that specified that MetroED or in that case the Central Santa Clara County Regional Occupational Center (which was later changed through legislation to "MetroED") the agency is a school district for purposes of qualifying for deferred maintenance funds. He said there are only two ROCs in the State of California that receive these funds, MetroED and the Southern California Regional Occupational Center. Because of that, we have been able to replace our roofs, HVAC units and getting 100% funding for deferred maintenance hardship grants. He said overall, we have received over \$4 million in capital support to maintain our facilities. We were also successful in getting language into Proposition 1D for purposes of modernization grants. Regional occupational centers and programs are now authorized to apply for those grants and as a result we have been able to get \$10 million in grants to modernize our facilities and reconfigure our programs. He said this would be the next step because at some point in time this organization may want to go out for a bond to build new facilities or other modernization projects.

Member Bieh: He said he would like to have as much flexibility as possible. He said he understood the agency would not be able to move forward with a bond without the unanimous agreement of the board and he agreed with that and he believed we should continue to pursue the legislation so that a future board would have the opportunity to pay for capital facilities with bond funds, if they decided to ask the voters for approval. He said he was comfortable with continuing this in our legislative program. He asked if there was any action needed on this item.

Superintendent Hay: He said it was not necessary and it could be included with the next item which is the legislative program.

Member Gordon: She said there is no doubt that the facilities need upgrades and we will need to spend money on facilities. She said the issue is more, in her opinion, timing and from Campbell's perspective, trust. She said yes, the current Joint Powers Agreement states it needs unanimous approval, but frankly she said CUHSD had been there and done that.

She said Campbell agreed to a funding model in the past and they (CUHSD) were told the only way a different one could be approved was by unanimous approval and then we decided that it doesn't have to be unanimous anymore and that agreement was rescinded. She said to say it has to be unanimous doesn't hold a heck of a lot of water with CUHSD. She said she would also like to point out that in the first paragraph it says including but not limited to what's listed there and that is also a concern of CUHSD. She asked what the other things are that may come along with this and what other things would the partners be giving up if this was allowed to be called a district. She said off the top of her head this is different from say a charter, simply because we are a partnership. She said if this organization goes out and gets bonds and they cannot pay for those bonds, she believes the legal liability for those bonds goes back to each of the partner districts. Superintendent Hay said no. She said it does not, but she would need to see that. She said she didn't disagree with the superintendent but we are partners and if there isn't a source of money she couldn't believe it didn't come back to the districts somehow. She said CUHSD has been on the record saying we need a bond and she has been saying that for about two years. She said based on the actions regarding the funding model, CUHSD now has no interest in investing any additional monies in this organization at this time. This does put us in a quandary because we should not be using general fund money for construction. She said this is one of those situations where you need to lay a foundation and you need to build something, you can't just do business as usual basically requiring one district to provide more to a partnership than others and then say we are all equal and expect that we are going to go along and say OK, we believe you this time, it would have to be unanimous. She said she was also concerned about some of the smaller districts in the event that an agreement can't be reached for a bond and a bond is needed and a vote is made that decides it does not have to be unanimous, you could probably pass with 50% if you were trying to steamroll, say Los Gatos who doesn't have a lot of students even though they vote no. She said the larger districts could still prevail with a bond. She said she would not support this and she thought there were other questions and she didn't think they had done what they needed to do as partners for something like this to be considered.

Member Biehl: He said he was thoroughly confused. He said he understood in the past that Campbell favored the bond approach and that is the reason why he was willing to support it. He said he was disappointed that this has become a conversation about the entire funding process with the organization and he believes there has been a gross misrepresentation of the facts as to how that exists and how that comes about and he was disappointed by that. He said his sense historically is there has been a method of funding this organization that has created an equity issue for a number of students in this district and that the funding needs to be based on the number of students that each of the districts had. He said that funding for education needs to be based on the needs of the students and not some convoluted, bureaucratic method that has evolved over the years that has created a sense of inequity for one district. He said he is sorry about that but he is disappointed that this conversation comes up over and over again because he does not buy the premise that, because one district has historically chartered a number of classes as ROP, disproportionate to another district, that somehow they are subsidizing that district. He said he does not believe that is the case at all and he is disappointed they are having this conversation again. He said he was trying to be supportive of a concept that Member Gordon had brought forward that capital projects should be funded with capital dollars; but here we are once again back to that conversation about what funding model is fair and what isn't fair. He said he wanted to go on the record as saying that what's fair is a funding model based on each individual student, and not on something that has happened historically; not some district being clever about getting all sorts of classes certified as ROP and then having the number of classes frozen so that other districts that have ROP classes can't get the funding, and therefore it is put back in their face and it's said that they are somehow subsidizing. He said he was sorry but he was disappointed that we were back at that conversation again.

President Canova: He said we did need someone to make a motion on this item and he asked if Member Biehl wished to do that.

Member Biehl: He said he understood that this could be dealt with under the legislative program under the next item.

President Canova: He said he believed the Governing Board should vote on this item individually.

Member Biehl: He asked if he understood that it would be Campbell's position to vote no on this item this evening.

President Canova: He said he did not know and asked for a vote as there were no further questions or comments.

**MOTION**: It was moved to continue to include pursuit of "...a legislative change to allow Regional Occupational Center and Program Joint Power Agencies (JPAs) to issue general obligation bonds" in the district's 2011 Legislative Priorities. M/Canova, S/Garcia, Vote: 5 Ayes, 1 No (Gordon)

8. **Action Item: MetroED Legislative Priorities for 2011-12**

Superintendent Hay: He introduced Nancy LaCasse, the district's legislative advocate, who works for School Services and she would be reviewing the legislative priorities this evening.

Nancy LaCasse: She provided a brief legislative update on what has been happening in Sacramento relative to the Governor's proposed budget and the significant cuts being recommended. She said his proposal holds schools harmless predicated on an election in June to extend the temporary taxes for five years. However, if the tax extension does not go through, the Governor will need to make another \$12 billion in cuts. Due to the largest amount of funding going to schools, it is anticipated there would be major cuts to school funding. She said the Legislative Analyst's Office was asked by the leadership in the legislature to put together some scenarios that became public that did show the bulk of additional cuts would be applied to schools. She said the budget committees have been meeting and there has been a lot of activity in the capitol this week. The goal is to get the ballot measure done prior to the middle of March, which is the deadline from the Secretary State to get a measure on the ballot for June. She said the most significant impacts for education at MetroED are the proposals by the governor to continue categorical flexibility for two years. There are other reforms being proposed on mandates. There are three major proposals on the table regarding the budget and there are several bills being worked on regarding adult education and funding for "multiple pathways" (now called linked learning). She said the deadline for submitting all bills is the end of this week.

She said the packet includes the recommendations for legislative priorities and one of the main focuses for the year will be preserving funding for adult education and ROC/Ps and getting dedicated funding for these programs.

Member Garcia: He asked why there would be a bill proposed to designate a certain amount of money for adult education and not a bill that would provide all of the funds for adult education and removing adult education from Tier III.

Nancy LaCasse: She said for several years they have been trying to move adult education and ROC/Ps out of Tier III; however, there has been resistance because if you move one program out, there will be other programs lobbying to be removed as well. She said each program in flexibility has a good argument for being removed from flexibility.

Member Garcia: He said those groups trying to get their programs out of flexibility are also the programs trying to get a designated amount for their program.



Nancy LaCasse: She said currently, these are the only two programs that are attempting to do that. She said we have worked very hard to educate the legislature and staff in the capitol that these are base programs and they are no different than revenue limit programs. She said there have been proposals in the past to do three mega block grants focused on student achievement; one for disadvantaged populations, and another area. She said they are revisiting this approach because there has been a lot of attention based on flexibility.

Superintendent Hay: He asked if she could talk about the Legislative Analyst Office's (LAO) proposal as it relates to Career Technical Education funding.

Nancy LaCasse: She said the LAO came out with a proposal; however, it has been changing as the public has responded to the proposal. The LAO has proposed that ROCP funding be taken out of flexibility and combined with other CTE funding into a larger block grant. The new grant funding would then be allocated on an ADA basis per district, to be used exclusively for career technical education.

Member Biehl: He asked if this would be allocated on a per-ADA, per-district basis. Ms. LaCasse said yes. He said they are proposing to allocate the funds based on the ADA per district and the funding would not be based on whether a district had certified ROP classes in the past and would do away with the current funding model.

Nancy LaCasse: She said that was correct but they are not looking at throwing out the current model. She said there is currently discussion regarding linked learning and CTE and with ROP funding frozen, what ways might there be to stimulate funding and create a base of money and growth would be funded on a per ADA basis.

Member Biehl: He asked if they were trying to create some equity if one district currently has some advantage that another district may not have. He said it was interesting because he felt that is exactly what this board was trying to do with the allocation of ADA, if there was going to be growth funding. He said when that was no longer possible with growth ADA; this board had to make a decision to change the funding model. He said he thought it was great that the state was looking at creating a funding model that was fair to all of the students and he would really like to see that.

Superintendent Hay: He said as mentioned by Ms. LaCasse there are a number of proposals with different nuances. He said one of the proposals was to combine all the CTE money; California Partnerships, agricultural and ROCP funding (which represents about 90% of all CTE funding in the State of California). He said he believes the agricultural and partnership funds are in Tier II, and are currently protected from flexibility. He said there are many in Sacramento who see a need to strengthen CTE for all students. He said he believes it is critical to the future of education in the state and closing the achievement gap. He said, as we heard earlier, part of the success of the students in Capitol High School was due to attending CCOC as well. He said there is some dissension among the different groups; however, there is agreement that CTE needs to be strengthened. There needs to be accountability, and ROCP wants to be assessed. We want to be able to show them what we have been telling them all along...that our students are successful, graduate at a higher rate, they receive promotions and more pay than others.

President Canova: He asked if the future is brighter under Governor Brown.

Nancy LaCasse: She said it is definitely different and the governor has a heavy load due to the budget and we know education is a part of his priorities.

**MOTION**: It was moved to approve the Legislative Priorities for 2011. M/Biehl, S/Bobay, Vote: 5 Ayes, 1 No (Gordon)

9. **Action Item: Final Adoption; Second Reading: Personnel Board Policies 4000's**

**MOTION:** It was moved to adopt Personnel Board Policies 4000's. M/Garcia, S/Bobay; Vote: Unanimous

10. **Action Item: 2011 CSBA Delegate Assembly Election**

**MOTION:** It was moved to vote for Candidates Michael Gipe, Albert Gonzalez, Mary Noel, and George Sanchez for the 2011 CSBA Delegate Assembly. M/Biehl, S/Garcia, Vote: Unanimous

**MOTION:** It was moved to vote for Candidate Patricia Martinez-Roach. M/Biehl, S/Bobay; Vote: Unanimous

11. **Action Item: Adopt Resolution #06-02-16-11, Support for a Ballot Measure to Extend Temporary Taxes**

**MOTION:** It was moved to adopt resolution #06-02-16-11; which supports placing a measure on the June 2011 ballot calling for a five-year extension of temporary taxes to protect our schools and students. M/Garcia, S/Biehl; Roll Call Vote: Unanimous

**BUSINESS AND FINANCIAL FUNCTIONS**

12. **Action Item: Ratify Contract With Lowest Responsible Bidder, Bldg 200 Modernization, Eternal Construction, Inc., \$2,089,866**

**MOTION:** It was moved to ratify the construction contract between MetroED and Eternal Construction, Inc. in the amount of \$2,089,866 for the CCOC building 200 modernization project. M/Garcia, S/Biehl; Vote: Unanimous

13. **Action Item: Approval Of Master Business Relationship Agreement: Santa Clara Unified School District**

**MOTION:** It was moved to approve the 2010-11 Master Business Relationship Agreement, including appendices A and B between MetroED and Santa Clara Unified School District. M/Canova, S/Biehl; Vote: 5 Ayes, 1 No (Gordon)

14. **Action Item: Approval of Master Business Relationship Agreement: East Side Union High School District**

**MOTION:** That the Governing Board approve the 2010-11 Master Business Relationship Agreement, including appendices A and B between MetroED and East Side Union High School District. M/Biehl, S/Bobay; Vote: 5 Ayes, 1 No (Gordon)

15. **Action Item: Approve Amendment to South Bay Area School Insurance Authority**

**MOTION:** It was moved to approve the SBASIA JPA amendment and authorize the Superintendent to sign the amended agreement. M/Biehl, S/Garcia; Vote: Unanimous

16. **Action Item: Monthly Budget Update**

**MOTION:** It was moved to approve the budget changes included in the Monthly Budget Update for the period ended 1/31/11. M/Garcia, S/Biehl; Vote: Unanimous

17. **Action Item: Approve ROCP Funding Model 2011-12**

**MOTION:** It was moved to approve the new ROCP Funding Model as defined in Appendix B-ROCP Funding Model. M/Biehl, S/Bobay; Vote: 5 Ayes, 1 No (Gordon)

18. **Action Item: Approve Distribution of Excess Property Taxes**

**Superintendent Hay:** He said the Board had approved use of the excess property taxes for matching funds for the Proposition 1D matching funds previously. He said we have been advised by the state to not count on these funds as on-going money, but to consider it one-time funds, and only budget them when funds are actually received by the district. He said we now have the funds needed for the Prop 1D match. He said there is \$905,000 in excess property taxes available and, noting that we're all in this budget mess together, he recommends the funds be returned to the districts to support their ROP programs as we did last year. He said the proposal was taken to the Executive Council and he asked them for a recommendation on a distribution methodology for the funds. The Council recommended the same distribution method we used last year. He said we have received the funds and, if approved by the Governing Board, we can cut a check to the districts immediately.

**Member Biehl:** He said he would like to note that there was a unanimous decision from the Executive Council and there was no discussion or issues of trust at the meeting. Superintendent said that was correct. He said this is essentially the same way it has been done in the past and using the same methodology that we have used previously. He said East Side UHSD could have additional ADA but his superintendent was willing to keep it the same as in the past, even though it is a financial disadvantage to the East Side district.

**MOTION:** It was moved to approve distribution of \$905,604 Excess Property Taxes to the JPA participating districts as recommended. M/Garcia, S/Biehl; Vote: Unanimous

**INSTRUCTIONAL AND STUDENT FUNCTIONS**

19. **Action Item: Adopt Resolution #04-02-16-11; Adult Education Week**

**MOTION:** It was moved to adopt resolution #04-02-16-11; recognize adult education for its many years of service to adults, and that students, teachers and administrators be recognized during Adult Education Week, March 14 to 18. M/Garcia, S/Biehl; Roll Call Vote: Unanimous

20. **Action Item: Adopt Resolution #05-02-16-11; Career Technical Education (CTE) Month, February 1-28**

**MOTION:** It was moved to adopt resolution #05-02-16-11, which recognizes that Career Technical Education (CTE) month is February 1-28. M/Bobay, S/Biehl; Roll Call Vote: Unanimous

**XVI. EXECUTIVE REPORT/ADMINISTRATIVE REPORTS**

**CCOC Director John Fox:**

- Ken Schirle, Graphic design instructor reported his students have designed flyers for the upcoming Classic Car Show and now are in the selection process for a final design. The students are also busy designing the invitations for the annual Open House and they are collaborating with Mrs. Yegge's, Interior Design class on signage for the newly redecorated restrooms in Building 6.
- The Auto Careers Student Conference was held for students from Mike Cortese's Diesel Trucks program, Charlie Thompson's Transmission program and Jimmy Walker's Brakes

and Alignment program. The student conference featured guests from various areas of the automotive industry.

- Students from Alice Rodriguez's Office Administrative Assistant class traded places with students from Rico Sciaky's, Law Enforcement program. Students from Law Enforcement reinforced their keyboarding skills, while Office Assistant students learned about Megan's Law, abuse, and restraining orders. Collaboration between classes is encouraged; not only providing valuable information for the students, but also allowing students to experience the diversity of programs on the CCOC campus.
- Jeff Schmidt, Video Productions instructor has been named as the main consultant for the Santa Clara County Office Education countywide Student Video Competition. Jeff has also been honored with the fact that his Video Production curriculum has been selected as the State Model for their on-line curriculum development.
- The Video Production class will be articulating two courses with the Art Institute in Sunnyvale.
- A Video Production student, James Billet was a finalist in the "Made on Mac" video contest. It was shown at the Macworld Conference in San Francisco for 25,000 viewers.
- Video Production students are also busy developing a "Virtual Tour of CCOC" DVD to promote the school.
- Michelle Sugden and Gina Flemming, Dental Assisting instructors reported that on Friday all of their students passed the California State Radiation Boards. All of the students are also placed in dental offices for the next six weeks.
- Collette Betters, Health Occupations instructor, and her students sponsored a blood drive on Friday at CCOC. One hundred and sixty-four people registered and one hundred and sixteen were eligible to donate. The total number of units collected was one hundred and twenty-four.
- Peggy Nutz, Small Business Management instructor reported her students just completed a successful Valentine's Day promotion selling balloons, baskets, and candy. The proceeds will be used for a field trip to Fort Miley in San Francisco where students will participate in a leadership training program.
- The CCOC College fair was held today at CCOC and students met with representatives from colleges, trade schools, apprenticeships, and the military. All students at CCOC were provided time to attend the fair today with their instructors. The coordinators, Chantu Ngyuen and Lucy Ataide said the fair was very successful. The Culinary Arts and Baking & Catering classes provided breakfast and lunch for the guests.
- On February 17, the Culinary Arts and Baking & Catering classes will provide the food and refreshments for the Meet and Greet Tom Torlakson reception sponsored by the Superintendent's Transition Committee and the Silicon Valley Education Foundation. Nancy and Jan Joseph were asked to cater the event by one of the Foundation members after her visit to CCOC last spring for a meeting catered by the students.
- Seda Otto, Program Representative, provided the following information: On January 29, 12 students from Fire Science accompanied her to the SJUSD 2011 Parent Education Conference to support the activities. On February 11, students from Health Occupations, and Fire Science, assisted at Burnett Middle School's "Bring Your Parent to School Day" to assist with the program.
- Next week will be Winter Break and there will be no students on campus. Classes will resume on February 28.

MAEP Director Sylvia Karp:

- She shared they have tried to update people on what has happened with adult education over the past few months including nine advisory letters from the superintendent that have gone to staff as well as all community partners.
- She went to staff meetings over the past two weeks at the three main MAEP sites, day and evening, to share information on the 1/20/11 unanimous decision by the San Jose USD Board to take 67% of the adult education funds used to administer the program at MAEP. She said this means they will be able to serve only 2,000 of the 7,400 students served last year. She said the teachers and other staff at the meetings are concerned

about what will happen to our students. She said all of our students are in the middle of their programs. She said there are adult high school students that were not fortunate enough to attend Capitol High School when they were unsuccessful in their home districts, and then came to adult education to get a diploma. There are about 100 students that graduate through the high school program each year. There will be some of these students who will not be able to complete their programs. She said there are students in the middle of their career technical education programs and she is not aware of any doctors that would hire a half-trained medical assistant.

- She said staff is concerned about the students. She said the reason they came MAEP was to receive their English as Second Language training, receive their adult basic skills training, then get a high school diploma, and then their CTE training. She said these programs allowed them to provide their families life sustaining jobs that they could use to support their families for one generation or more and to serve as role models for generations to come to their children. She said she does not know how to say to 5,000 students, "we are sorry."
- She said they are asking the curriculum specialists for each of the programs to work with the teachers for some parameters so that we can serve as many students as we can who are close to finishing their individual programs.
- She said she shared with staff about Plan A if the temporary tax extension was passed by the voters of the state as well as Plan B if the ballot measure did not pass or did not make the ballot. She said they have been informed San Jose USD will look at all options if Plan B occurs including taking back more or all of the adult education funds.
- She thanked the Board for passing the resolution on the temporary tax extension.
- She said AB 189 which was introduced by Assembly Member Eng from Southern California would enable adult education to have about 65% of its funding protected and it would enable the districts to use up to 35%. She said if those funds were not used for adult education, the 65% would have to be returned to the state.
- She said she remembered looking at the Tier III programs and the dollar amounts in those categorical funds and adult education had the largest dollar amount. She said the next largest dollar amount were the ROCP funds. She said what we do here is very important and what we do legislatively is very important because 67% of the adult education funds in the California have been flexed already and we fear after they finish picking adult education's bones clean, they will go to the next big pot of money, ROCP funding.

Superintendent Hay:

- He shared information regarding CBO Dan Gilbertson and he is anticipated to return to work by February 28.
- He distributed a copy of President Obama's FY 2012 Education Budget Proposal.
- He distributed a copy of CCOC's Annual Custom Car Show Announcement which is used to initially inform the media.
- He shared the Commission on Teacher Credentialing has approved MetroED as an approved sponsor of the new three year designated subjects career technical education credential. He said the process was similar to going through a WASC. He said there were several agencies that provided services in the past but with the new legislation and recertification that they had to go through, we are one of the few in this geographic area and we will be serving teachers from several counties. He said the next step will be to get approved for the adult education credentials.

## **XVII. BOARD COMMENTS**

Member Garcia: He apologized for being late this evening as he was at a Santa Clara County Organizational Meeting. He said he has had a habit of watching budget hearings in Sacramento and the other night he could not continue listening to different groups come up to plead with legislators to save their programs. He said at the federal level they are looking at cutting the women and infant children's program and he knows in his private practice they have lost funding for battered women to receive counseling services and for children exposed to domestic violence.

He said the county has lost funds for drug rehabilitation programs, etc. He said he feels good about passing the resolution tonight hoping the governor's election strategy will succeed. He said it will be important to get people to go out and knock on doors because if this proposal fails, we all know what that means. It means losing adult education and other programs like performing arts funding. He said it will be important to do more than just hope the temporary tax extension passes.

Member Bieh!: He said he agreed with Member Garcia. These are difficult times and difficult issues but we will get through this. He said he is somewhat hopeful under the governor's leadership that this issue will go on the ballot. He said he thought it would be political suicide not to put it on the ballot. He said the people in the state need to make the decision, and he has faith that they will make the right decision, because it will only require a majority vote. He said he believes a majority of the people in California have their hearts in the right place and know what to do. He said the problem in the past has been the two-thirds requirement which made it virtually impossible to get things done. He said a lot of work needs to be done but we are finally having the right discussion and we are putting the issue before the people. He said it is critical and he believes the people will make the right decision.

Member Ramezane: He said as an alternate serving on this Board he had the opportunity to come out to visit several weeks ago and meet with Superintendent Hay and discuss some issues and then had a tour of the campus by Director John Fox. He said he was impressed with the engagement of the students, professionalism of the teachers, and the facilities. He said the facilities are really well taken care of and the equipment is up-to-date and he really enjoyed the visit.

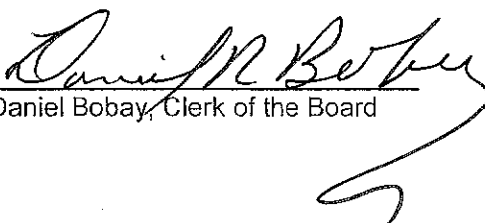
President Canova: He said his is optimistic and he can see what each individual board member goes through in their home districts, and he has no doubt that each board member's heart is in the right place; fighting for their students and their parents and for the programs here. He said these are fantastic programs here and very important. He said we hear so many politicians and business leaders come out and talk about the importance of adult education and career technical education and then do nothing. He said he agreed with the comments this evening in terms of the June ballot because that is an important step. He said if the governor is successful in getting the issue on the ballot and the voters extend those taxes, it will tell us that the citizens of this state "get it" and understand we are getting to a place where we are no longer cutting fat, we are way past that and are getting to the muscle and the bone. He said he knows members of this board will do what they can in their home districts to make sure the ballot measure is successful and the governor succeeds. He said he is hopeful after two terms with Governor Brown, we will see the state in a much better place.

#### **XVIII. OTHER MEETINGS**

Regular Board Meeting, March 9, 2011 to be held in The Hub (cafeteria), CCOC Building 800, Room 812 at 7:00 PM, Closed Session at 6:00 PM in Room 810.

#### **XIX. ADJOURNMENT**

President Canova adjourned the meeting at 9:00 p.m.

  
Daniel Bobay, Clerk of the Board