

# METROPOLITAN EDUCATION DISTRICT

Governing Board Meeting Minutes  
March 9, 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 810, San Jose, California.

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. DISCLOSURE OF "CLOSED SESSION" DISCUSSION ITEMS

- A. Conference with Labor Negotiator Pursuant to Government Code: 54957.6(f)  
Employee Organizations
- AFT
  - CSEA
  - CTA
  - Unrepresented Employees

## III. ADJOURN TO CLOSED SESSION

President Canova adjourned to closed session noting there were no requests to speak.

## IV. 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 7:06 p.m., in CCOC Room 812, San Jose, California.

## V. REPORT OF CLOSED SESSION ACTIONS

President Canova: He reported the Governing Board conference with their labor negotiator and no action was taken.

## VI. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Member Biehl.

## VII. ADOPT AGENDA

Superintendent Hay: Item # 4, Classified Personnel, has been revised to correct the appropriate fund to be charged for one position and copies were provided at the dais for the Governing Board.

MOTION: It was moved to adopt the agenda with the revision to Item # 4. M/Garcia, S/Biehl; Vote: Unanimous

## VIII. RECOGNITIONS

- A. Acknowledgement of Visitors: None

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

Superintendent Hay recognized the Automotive Student Conference held on February 9, 2011 and presented awards to Michael Cortese Truck Mechanics Instructor and James Walker Brakes & Alignment Instructor.

IX. **STUDENT REPORTS**

- CCOC Student: Director Fox introduced Interior Design Instructor Wendy Yegge. Ms. Yegge shared a project students have been doing to refurbish the bathrooms in Building 6, Central Office. She asked Roy Martinez (Wilson HS), Crystal Chon (Pioneer HS), and Maria Perez (Westmont HS) to share their involvement with the project. Ms. Yegge showed a video that displayed the before and after pictures of the remodel as well as the support they received from the Electrical and Carpentry classes. She said there were 12 students each from the morning and afternoon classes that worked on the project.

Roy Martinez: He and Crystal passed out the design boards used to develop the concepts for the bathrooms. He said in class he learned how to draw floor plans, color schemes, select materials and other aspects of interior design. Roy said it was a difficult process working in such a confined space; however, it was hard work but well worth it.

Maria: She said the teams had disagreements on many of the aspects of the designs; however, it came together with a finished project.

Member Bobay: He said working on bathrooms was very difficult and how they felt about doing more bathroom projects in the future.

Maria: She said it was a good experience and she would want to do more in the future.

Crystal: She said it was difficult in the tight confines especially when it felt like they were working in an elevator when the painters and electrical were all trying to work at the same time.

- MAEP Student: None

X. **SPECIAL ORDER OF BUSINESS**

None

XI. **PUBLIC COMMENTS**

President Canova: He read the disclaimer regarding the process for members of the public to address the Governing Board.

Mira Gilliam: She is a student attending adult education classes at the Erikson Adult Education site and she expressed that she did not know if she would be able to continue classes for the next school year. She said she can't plan for her future if she doesn't know what is planned for next year and asked why information cannot be given to the students whether it is good or bad.

Peter Mac Donald: He said there were other students who wanted to come and speak this evening as well. He said the students are asking him what will happen next year. He said he has received no answers and this is the third time he has spoken. He asked what happens to the students and what does \$1.7 million of adult education funds look like for next year.

Member Garcia: He said he wanted to address the comments from the student who spoke. He said most of the administrators and teachers at the meeting tonight are aware of how education is funded in the State of California. He said he is not sure students understand how complicated it is and how

convoluted the funding process is and from a distance not knowing the process, it can be hard to believe a district can run on the way we fund education. For the student, he just wanted to stay he was sorry she had to go through this and he understands how difficult it is in developing her own future with the uncertainty. He said this is unfortunately characteristic of the funding in education and the process has to be changed.

President Canova: He explained to Ms. Gilliam an item would need to be put on the agenda for a future meeting per the Brown Act for further discussion. The restrictions on the Governing Board do not allow for a dialogue this evening. He asked if the superintendent would like to respond.

Superintendent Hay: He said adult education will be on a future agenda.

## **XII. APPROVAL OF MINUTES**

**MOTION**: It was moved to approve the Minutes of Regular Board Meeting of February 16, 2011. M/Bobay, S/Biehl; Vote: 5 Ayes, 1 Abstain (Chang)

Member Chang: She noted her abstention as she was not able to attend the meeting; however, Alternate Doug Ramezane represented Los Gatos/Saratoga JUHSD.

## **XIII. CONSENT CALENDAR**

Member Gordon: She requested the removal of Item # 3 from the consent calendar.

**MOTION**: It was moved to remove Item 3 from consent and approve Consent Items \*2, \*4, and \*5. M/Biehl, S/Garcia; Vote: Unanimous

### **BUSINESS AND FINANCIAL FUNCTIONS**

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

The Governing Board approved the following warrant registers: #62009231-#62009253, dated February 2, 2011; #62009254-#62009293, dated February 8, 2011; #62009294-#62009316, dated February 9, 2011; #62009317-#62009379, dated February 15, 2011; #62009380-#62009416, dated February 16, 2011; #62009417, dated February 21, 2011; #62009418-#62009451, dated February 23, 2011; #62009452-#62009491, dated February 28, 2011.

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

Member Gordon: She asked to remove the item from consent because when the item first appeared before the Board it was to call for bids to refurbish or replace portables at MC Center and she wanted for the public record to discuss how we got to replacing the portables so we can demonstrate that we did our due diligence looking at refurbishing as opposed to replacing portables.

Superintendent Hay: He said there are 11 classrooms in the old MC Village and these classrooms were slated to be torn down after we built the new center. He said there were only funds to complete two-thirds of the new center. After the decision to flex adult education funds by San Jose USD, it became necessary to consolidate the programs on this campus and went into the facilities to see what could be renovated and what would have to be replaced. He said there is one building that is composed of four classrooms and two are being combined into one classroom for a CTE program and the other two classrooms are going to be painted and lighting work will be done. He said there is substantial work being done in the first two classrooms to accommodate the program to be moved over from another campus. There are another three classrooms that are reasonably new that had already been renovated

and are being used for various programs. Then there are two buildings put together in an 'L' formation which comprised four classrooms that are very old buildings with wood foundations that have termites and dry rot problems. These portables will be torn down and replaced with three new or fairly new portables and the others will be renovated.

Member Gordon: She said she didn't think the foundations even met current codes. Superintendent Hay said they did not. She asked if we would even be allowed to refurbish them on these circumstances.

Superintendent Hay: He said it might be possible because it would be adults that would be in the classrooms but our policy is to make sure that any new portables are DSA approved in our facilities so we can have more flexibility in the program. He said these classrooms are also undersized and very uncomfortable. He said the walls are separating from the floors, there is extensive termite damage and it would be very expensive to refurbish the portables.

**MOTION**: The Governing Board approved to declare the old MC Village portables H, I, J, and K. M/Biehl, S/Gordon; Vote: Unanimous

### **PERSONNEL FUNCTIONS**

**\*4. Action Item: Classified Personnel**

The Governing Board approved the one promotion and four appointments.

### **INSTRUCTIONAL AND STUDENT FUNCTIONS**

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

The Governing Board approved the courses for ROCP recertification.

## **XIV. INFORMATION ITEMS**

**10. Information Item: Review of CCOC Classes for Closure 2011-12**

Superintendent Hay: He said Director Fox will be making part of the presentation. He said each year administration reviews the course or program to ensure they meet a documented labor market demand, they do not represent unnecessary duplication of other training programs in the area, and demonstrate effectiveness as measured by the employment and completion success of the students. These are all requirements of the Education Code. Administration has identified six classes at this point in the school year that looks like they may not meet their minimum ADA requirements and they have had a four-year trend of declining enrollment and declining ADA. He said because we have to issue notices prior to March 15 these classes have been identified for that purpose. He said there is detailed information in the board item identifying ADA and trends for all of the classes. He said the plan is to continue to market these classes and include them in the class offerings for next year. He said depending on the pre-enrollment, we may be able to bring these classes back and rescind any layoff notices related to that.

Director Fox: He said consideration for class closure is based on minimum ADA generated of 42 per year. Throughout the year, instructors are provided with information on their individual classes. He said ADA will be monitored between now and the end of school to see if we are in a position to rescind the closures and as Superintendent Hay said, these classes will remain on the class schedule and we will actively recruit for students. He said they will be part of the mini-draft held in May for high school students and administration will support efforts to recruit these programs and assist the efforts of the instructors in doing this. He said if in the event we do close a program(s), the funding for those will be used to open new programs that have been reviewed by the Instructional Council such as Sports Medicine, Pharmacology, Fashion

Design, Motorcycle/Small Engine Repair, Masonry, Plumbing, Web Design, and Green Construction. He said it was not to reduce the number of classes offered at the center it was to make sure we provide classes to meet the needs of the students.

Jan Joseph: Mr. Schmidt handed out documents for review and there are 3 of us that are going to be referring to the documents. He said he came here tonight after really looking at this for the last week with some intensity and talking to our CCOC administration as well as the district administration, He said he had issues with how the policies that the board has set forth are being interpreted. He felt at this point and the CTA membership felt the same way that the policies are being looked at and selected to meet the needs of the decisions being made and not looking at what's better for the students, what is better for the school and the classes themselves. He said they are serving the 6 districts first 5 classes are heavy with high school enrollment, three are almost at 100% and CAD class in 2008-2009 had 41 ADA, in 2009-10 had 42.95, this year it is down in ADA and trending down mainly due to charging \$1700 that this board enacted for adults coming here. He said further in your board packet in the introduction in this item you have primary criteria for determining the effectiveness of a class is the enrollment and ADA generated by the class. He said this is new to them and they thought there should be something about student learning and teaching and serving our district. He said this is a new approach that this board is embarking on in education from his experience. He said the concern tonight as the CTA is that the policies are not being adhered to they would like the Board to take a look at this. He said the criteria that you enacted in the evaluation criteria says that the following is the criteria for evaluating CCOC Day Program classes. They are listed in the order of priority and again they looked at this, yes ADA is number one, number two is limiting the adults in the classes. So we skip number two tonight in your board packet and we don't prioritize that way and we go to number three, year-to-year ADA trend and completely disregard the adults in our classes. He said by your own policy, he believes if you review the classes you are planning to close tonight, you're going to find that they are almost all heavy in high school students from the participating districts and he doesn't think this is a good place to begin. He said he felt there needs to be another look at these closures.

Jeff Schmidt: He said he was speaking as a teacher and continuing on Mr. Joseph's comments. He said the policy says the primary criterion is ADA. He said the Board knows as educators, adults are not counted in ADA and we only count high school students. He said if you look at all the data given, the enrollment number includes Job Corps, high school students and adults. He said in the chart you were given, green are your students, the yellow and red are the adult and Job Corps students and actually when this item was introduced, it was said that, the classes that you are considering closing are below the ADA mark and that's not correct. If you look right here at your own sheet, if you look at our ADA, 16 teachers here are below 42 but you are looking at six on your list. He said there is an inequity there. He said there is another inequity with ADA, we have another teacher here, teacher has been here for five years, she has no ADA, she's a great person, she's a great employee, she's got teacher of the month awards, she's paid dues to CTA, she has always been treated as a teacher, she's a teacher-on-assignment, but as far as he understands you are not suppose to be a teacher-on-assignment for five years. He said she had zero ADA and she is not on your list. He said another thing, board policy number 4117.3 says a percentage of reduction in probationary or permanent and classified personnel shall not exceed the corresponding percentage of student attendance or monetary loss and if you are going to pick a number that you are providing us for that loss, the ADA counted it's 1,465, that would warrant the reduction of two programs, not six. He said 1,465 is not the correct number, we had a CAP put on 10 of our programs against our contract to only allow 25 students in, and it should have been at 33. He said you should add 80 to that ADA, that makes it 1.545, we are actually up from last year which doesn't warrant any closing whatsoever. He said finally, the Multimedia class that is up for closure is a first year teacher. We are making exception for the other first year teacher that is in the Precision Machining class, we are not making that exception for the Multimedia class. He said your policies are inconsistent and are completely inequitable across the board.

Collette Betters: She said our mission at CCOC is very clear to meet the needs of high school students in the JPA. She said in an ideal world not limited by resources we would actually be up here hiring more teachers and putting a rubber stamp on that. She said they understand that our zeal and scope in meeting this mission is limited by business and that's why she is surprised that ADA is number one, a body, anybody, Job Corps, adult students, whatever, let's just put them in there. She said in a year when we are on a fixed block grant and our funds are fixed, the importance of ADA becomes diminished and in our criteria to lay off teachers, it becomes apparent that serving the high school students we are free to fulfill that mission. She said we have an established policy, they get it, they get it, so let's stick to the established policy but we can't seem to do that and in light of numerous inconsistencies and serious inequities that exist. She said there is a complete disregard of our policies in light of the 1D projects, that have led to a loss of ADA and what has already been pointed out by my colleagues, this list, this criteria for laying off classes or laying off teachers becomes very mysterious. She said it becomes so mysterious that every year we find ourselves as sitting ducks wondering who is going to be next. In spite of having a healthy class filled with high school students that meets a job market need, we don't know if we are going to be laid off yet. She said they are suppose to be supplied program benchmark data that give them more than just ADA, that tells them about the high school trends, that tells them about the job market. She said the Instructional Council according is suppose to look at the classes that are slated for closing and they are made up of instructional leaders from the JPA and they are not sure that is even done. She said board policy 6190 evaluates the program very carefully to see if it is fulfilling its mission and that hasn't been done. She said at least one of the policies clearly states to meet the needs of the classes so that they can be swept aside by new programs. She said it also leads them to an even more disconcerting feeling that classes are simply being closed in order to make up money for the serious losses that are occurring in adult education.

Mike Cortese: He said he was the Truck Mechanics Instructor and it is one of the classes on the list for closure. He wanted to point out that his class is one of the higher high school enrolled programs. He said his adult enrollment is only 4 adults in both classes, so it is very, very low. He said this is one of the only classes in Northern California that teaches this trade. He said the only other school that teaches this is in Southern California. He is the only certified MAYTEV high school program in California. He said he just want to point that out that if this course goes away it actually takes away from a major area not just our local economy. He said enrollment has increased since he began teaching the class. He said he knew the class has a downward trend this year and last year but this class has always carried on.

Pat Haney: He said he teaches the Metals Technology program and has been here for 30 years. He said he is a graduate of the program he teaches he knows the impact it can have on a student. He said his program is like Mr. Cortese in that it is the only program of its kind around and like his certifications are provided for the students. He said we are the only certified welding school around that provides certification in California for a public school so we are the only one that is qualified to put out certified welders. He said there are private programs but it is only here for us. He said the program has been around since 1917. It is one of five original programs that started vocational education. He said he is helping with accommodating other programs as they are displaced while the construction is going on and it has reduced his class size and impacted the enrollment. He said he wanted the Board to know there were some extenuating circumstances for his program and others as well.

Ray Behvand: He said his class is Auto CAD and he has been here almost 30 years. He said if you look at the last 10 or 15 years the ADA has been there. He said last year he had 41 ADA and the previous year around 42. He said there had been no communication from his director or from the superintendent. He said his ADA is low this year and nobody even mentioned it. He said they do give us some things that show us the number of ADA but no one came to him said what can we do about it. He said he didn't think it was his job to look for student, his job is teaching.

President Canova: He said this was the last speaker this evening on this item and thanked everyone for his comments. He said he would make sure at future meetings there is a 30 second warning before a speaker's time is up.

Vice President Chang: She asked if the superintendent could comment on some of the points made by some of the speakers.

Superintendent Hay: He said he could address some of the comments. He said there were some references to Job Corps and it really concerned him that some people did not appreciate what Job Corps has done for the district. He said there has been a partnership for decades. He said it is in Education Code a special relationship between ROCPs, Job Corps, and CalWORKs since the original legislation was passed. He said the primary purposed was to serve the students from the high schools; however, there is room for the Job Corps students here as well as on their campus. He said in San Jose there has been a special partnership between MetroED and the Job Corps program. He said in the past we have had ROCP classes on the Job Corps campus. He said the teachers were our teachers. He said they have sent students here for almost 40 years. He said when the state decided to cut funding to categorical programs by 20%, we were faced with reducing expenses and we were looking at laying off some teachers at CCOC. He said San Jose Job Corps came to us and said they would like to help and we have been partners for all of these years and you have supported us and it is time for us to help support you during these times. Job Corps went to the federal government and received a supplemental funding grant for slightly more than one-half million dollars. As well as other funds they allocated to us, Job Corps said they would be happy to pay for two FTE's at the center. These were classes that would have been closed and they wanted to put their students in the classes. He said since they picked up the cost for the classes, salary, health & welfare, statutory benefits, indirect costs, instructional materials costs, we agreed to do that. He said Job Corps also said they would pick up the costs of the ROCP teachers at their center and waive any fees we had been paying to support those programs. He said we had starting charging adults to come to CCOC, prior they were generating ADA and when the funds were flexed they were block granted and ADA was no longer a factor. He said they agreed to pay for their adults to backfill CCOC classes. He said we did an analysis today to see what the partnership has meant to the organization this year in terms of all the costs they have picked up and paid to us and it is worth a million dollars a year. He said this is the level of support provided to us by the San Jose Job Corps. He said he wanted to make it clear that not only can we serve Job Corps the Education Code anticipates that we do serve them. He said he was told by Senator Loni Hancock that there is an expectation that we serve Job Corps and CalWORKs students. He said we will continue to do this, not by displacing the high school students but if we have space, we should be serving them and working with them to develop programs. He said if you look at the enrollment numbers, every single class as room for students, whether they are paying adults or Job Corps. He said all of the Job Corps students are enrolled in two legitimate charter schools, legally chartered in the State of California. He said they are legally, by law, high school students and he hoped employees of the organization would recognize Job Corps are our friends and we should appreciate their support. He said there are teachers who have jobs because of this support and we have been able to run a very diverse program for all of our students because of their help.

Member Garcia: He said we are not the only career technical education program in the state and he asked if there were programs struggling like here at CCOC. He said there is CAD, Truck Mechanics, Multimedia, and Animation, is there a trend in the state for these programs declining in enrollment.

Superintendent Hay: He said it is unique this year as these programs are here at the center. He said Multimedia programs proliferate on the high school campuses, there is duplication going on. He said in some of the programs in the Coastal Region, mostly the Bay Area, they do have Animation and Multimedia programs that are ROP programs but they are on the high school campuses. He said the speakers were correct about Welding and Truck Mechanics.

He said they are very unique to high school, 534 hours, and the instruction is very intense. He said these classes are not competing with any others and we are very hopeful these classes will continue to be operated here at the center. He said it would be a great loss to lose any of the programs but especially those as there are no other options out there for high school students.

Member Biehl: He asked if this was just information this evening and if there would be another meeting to discuss this issue.

Superintendent Hay: He said it was just informational tonight for the process to identify classes for possible closure. He said there is another item tonight that lays off the position but not the individual teacher. He said the next part occurs in May when individuals are laid off unless rescinded.

Member Biehl: He said this is the last notification that these classes are in trouble in terms of the amount of students enrolled in them as well as other reasons which seems to be some of the classes are offered at our high schools in ROP classes at the high school sites. He said he is very familiar with Mt. Pleasant High School where his son attends and there is an Animation class there which is an academy and it draws students from all across East Side UHSD. He said CCOC must be in competition. He said he is not sure what the value is in having something centralized when it could be better served decentralized. He said in the end we need to listen to what the demand is for the products. He said education, in general, is no longer a monopoly. He said he knows that is hard for people to adjust to and it has been great over the years when we were the only shop in town and people had to come to our classes. He said we have competition now, competition for dollars and competition for students. He said we need to have criteria and we need to serve our students in the best way possible. He said the best way to serve our students is with classes that are full and with classes that have a demand both in the marketplace and with our students. He said it was difficult to make those decisions. He said this is not the last decision here tonight. He said he hoped, particularly in those classes where we are the only site that offers those classes, there is a marketing effort and the teachers are involved in that marketing effort to get people out in those classes. He said he would be very disappointed if we lost Truck Mechanics. He said he remembers interviewing a young woman in that program at an open house who was later featured in a story in the San Jose Mercury News. He said he has told that story many times and he would like to see that class continue and he would like to see the Metals Technology class continue. He said he would like to see the other classes continue either here or on the high school sites. He said he wanted to make sure they are offered to their students. He said we are in a competitive world for dollars and we have to be efficient in what we do. He said it would be wonderful if a student could be an apprentice to one person but we cannot afford to do that. We are going to have to be efficient in what we do and we need criteria for it and we are going to need to be willing to partner with other people such as Job Corps. He said he understands those Job Corps students come from his district and he has a responsibility to those students. He said he doesn't want them thrown out and he doesn't believe and he has not seen any evidence that this is tied to adult education. He said a certain number of programs are going to move out and a certain number of programs are going to move in and we need to do that. He said there is still the opportunity to recruit and try to build the numbers. He said we are living in a new reality and we have to have some minimum numbers of students in the classes or we are going to have to provide another class, another position, another teacher in a program that is responsive to what is needed in our market and what is needed by our students. He said in all cases, his decision is based on what is best for all of our students and that includes students currently involved in charter schools.

Member Bobay: He said as long as he could remember in his working career Metals Technology classes were full. He said it was almost mandated that students take these classes because there were a lot of job opportunities for the students to get after they finished their classes. He said particularly Metals Technology because he was in that field. He said a lot of those metals jobs are gone and we aren't building the frames, the racks, or the



components for them anymore. He said he came up thinking that when those types of industry went away, our economy would be in serious trouble and it is true today. He said our economy is in serious trouble. He said if we don't get those industries and jobs back, we will continue to be in serious trouble. He said he is hopeful we will be able to fill up those classes again because he would not want to see all that equipment not working and those classes empty.

President Canova: He said somewhere along the way politicians in Washington DC thought that we didn't need manufacturing jobs anymore in the United States. He said he completely disagrees with that and he said last week he was watching ABC. He said Diane Sawyer went to a home and removed everything that was not made in the USA and it was virtually empty. He said they went and replaced everything with items made in America; however, they could not find a television or light bulb made in the USA. He said he agrees with Member Bobay and doesn't see how our society cannot have any manufacturing jobs in America.

## 7. **Information Item: Photovoltaic Solar Options for MetroED**

Dan Gilbertson: He shared a PowerPoint on options available to MetroED on photovoltaic options. He said he would not be doing this presentation when we are looking at laying off employees if it required expenditures for facilities. He said he will be sharing options that could reduce utility costs, manage utility rate increase projections, and support educational objectives and career training opportunities in renewable energy related fields. He said if the Board wants to pursue options, MetroED would need to fund the project using a Power Purchase Agreement (PPA) or another leasing option. He reviewed the current proposals from Clean Solar and Borego Solar. He said another option is to work with Chevron Energy Solutions which has coordinated solar projects for East Side UHSD, Milpitas USD, and San Jose USD as well as others in the state. He said there is an option to work with Bartos Architecture on a pre-check set of solar drawings being developed with Campbell UHSD. He said there are options working with third party administrators such as TerraVerde Renewable Partners or Innovative Energy Services. He asked for feedback and recommendations if the District should proceed with exploring options at MetroED.

President Canova: He said Santa Clara USD is looking at solar options as well for their campuses. He said another company to talk with would be Siemens, a German company. He said another option is 'bloom' boxes (fuel cells) and it could save between 20 and 30 percent of the fuel costs like Cisco and Yahoo.

Member Gordon: She said she could provide some details on the project they are putting together in Campbell USD. She said they had been contacted by Chevron and quoted \$34 million for their project. She said in looking at the project they are panels, metal posts, and beams and they decided to roughly see how many of each of these they would need and quantify what the materials cost should be. She said when Chevron found out they were looking into it in this manner, there were a number of phone calls and the cost came down approximately \$1 million after each call and it is now down to about \$26 million. She said they are looking at a huge labor cost and Chevron told her district it was because you rent the posts and the time to put everything together is very expensive. She said Mr. Bartos, who is also Campbell's architect, contacted Enviroplex who is a manufacturer of commercial modular buildings that are metal framed based. She said they have put together a plan with Enviroplex to prefab the posts and install them. She said they are out to bid currently and it is believed the project will come in for \$18 to \$19 million. She said Chevron said they would consider this type of project and she didn't know how it would work for a PPA. She said any approach even if you can't finance it, if due diligence is utilized you will see savings on labor and materials. She said due to their long relationship with Mr. Bartos, he has given Campbell UHSD the copyright to the plans and they will be making them available to any district or others interested starting at \$100,000. She said the money would be put into a scholarship fund for students. She said the plans generally run 8% to 10% of the project costs. She said they will

be financing the project. She said we need to make sure the number is correct for whatever project we may do here at MetroED.

Member Biehl: He said East Side UHSD has been successful with Chevron but you do need to negotiate with them. He said the size of the project and the timing worked well for his district. He said at that time, they had a 400 million division and we represented 50 million dollars. He said they were able to get a number of concessions from them including a 90% payback of our investment over the first 15 years for cost savings. He said the one thing working against MetroED is that there is not a ready capital fund to finance a solar project. He said East Side was able to take 25 million of capital money and in essence convert it into 65 million dollars in operating funds over 25 year period. He said he thought MetroED would need to look at a PPA and they don't pay off as well because you are not taking the risks. He said the cautions he would add this evening is to stick with the carports and keep off of all roofs. He said the carports are pre-approved by DSA and in the case of putting solar on roofs the solar system's life is usually greater than the roof life. He said with PPAs there could be a challenge if they own the equipment to do any major work on the campus at a future date. He said it should be kept very simple and work with technology that has already been proven and possibly due half of the project to see how it works. He said it is a plus to do some of the project for the benefit of the students. He said we should do something and negotiate the best price and do the carports versus the roofs. He said he would not want to take any current operating money and the deal included immediate payback for utility savings. He said we needed to look at a long-range plan and we know the price of electricity is going to go up.

Member Bobay: He said Milpitas USD has thirteen sites with solar and use the carports. He said the project was done the year before he became a member on the board. He said the contact at Milpitas USD would be John Cimino, Director of MOT, and he was in charge of all of the negotiations and construction with Chevron Energy. He said he knows there have been many changes since the carports with solar panels were put in Milpitas. He said there were fields that did not have shade so they did put some out in the black top areas to provide for shade for students. He said he received many questions and concerns about putting in the system while making cuts to programs and services.

Gilbertson: He said he would be interested to know how many parking spots were lost at the districts where the solar panel carports have been installed.

Member Bobay: He said they did not lose any parking spots. He said the posts are low profile.

Member Garcia: He said he thinks we should go forward as there are obviously savings that can be made. He said he supports this from an ecological standpoint and he said it would be good for educating our students in these emerging fields. He said he would want to make sure there are not costs to our educational programs and that we do educational outreach as San Jose USD had the same difficulty in his community as Member Bobay. He said we need to make sure the community understands what is being done. He said with all the different options and hearing what Campbell is doing in this area, he said he had no real sense in which direction to go at this time. He said we really need to do the homework to keep the costs down and find the best financial strategy.

Vice President Chang: She said she wanted to echo the comments of her colleagues and we need to be sensitive to our community. She said we are cutting programs and teachers are being laid off. She said she wanted to understand if there was a lease agreement, what would be the financial obligation of the District.

Gilbertson: He said the obligation would be a 20 year contract for purchasing the electricity back at a specific cost from the company that would be utilized. He said an advantage is that we would know what the cost would go up each year.

Vice President Chang: She said she wanted to make sure there were no costs to our existing programs and the deferred maintenance costs.

Gilbertson: He said there would be no upfront costs and he understood they would maintain the equipment. He said he understands the energy credits are no longer available. He said there may be other options available.

Member Biehl: He said they didn't lose any parking spaces but they did lose trees. He said Chevron put aside about \$15,000 for each project for tree replacement at each campus and they gave the sites the flexibility to use the money for other options. He said solar provides a fixed cost for electricity over an approximate 25 year period and those who do the PPAs are making their money but increasing the cost by 3% a year. He said their costs will not go up at 3% a year so the negotiations need to be in this area to get this cost down. He said PPAs capture about 90% and if there was a way to get any capital, we could leverage a loan on top of the project, we could make money that could be used for operating costs. He said Member Gordon is correct that part of the key to a project of this scope is to keep your costs down when building your initial investment. He is very interested in what Campbell is doing and he is always cautious about new technology and it is why he learns towards the carports and known technology.

Member Gordon: She said they just went out to bid and should have something in 45 days. She said it is their intent to be completed by the end of the summer. She said there are components that make her a little uneasy and talking about getting the posts installed and transporting them. She said Enviroplex said this is what they do and they can do it. She said they will see if the numbers come in where they believe they will come in and it is different and they realize it comes with risks. She said they have some of their elementary districts interested in following suit. She said they are going to roll the project out at their district and maintenance office first and make modifications if needed at that point.

President Canova: He said in Santa Clara USD they had a successful bond passed in the fall so they have the funds for the project; however, they are still looking at options. He said Chevron is a standard option and Siemens offers customization with the bloom box and there is a local solar manufacturer with Solyndra that makes cylinders. He said he agrees with the comments and he certainly would not want to divert funds from the classrooms for utilities.

Gilbertson: He thanked the Board for their comments and said we are obviously interested in the environmental and educational impact but it has to make financial sense for the District.

## **XV. ACTION ITEMS AND REPORTS**

### **BUSINESS AND FINANCIAL FUNCTIONS**

#### **8. Action Item: Second Interim Financial Report: Fiscal Year 2010-11**

Dan Gilbertson: He reviewed a PowerPoint presentation on the Second Interim Report which is a status of the budget for the period ending January 31, 2011. He said there have been few changes since the last budget report and the Excess Property Taxes have been distributed.

Member Garcia: He asked how a district borrows from the county office of education and under what circumstances.

Fiscal Services Director Keiko Mizuno: She said the county sent out a notice to all school districts in the county notifying them of the option available. She said there are four districts in the county in financial trouble and may need funds for cash flow and the offer is extended to all districts. She said MetroED this year due to the Prop 1D set aside funds and matching funds, we are able to borrow from these funds for cash flow to pay vendors and employees. She said the District has three years to complete the Prop 1D projects from the time we

receive the funds. She said next year we may need a line of credit to meet cash flow or borrow from the county office of education which would be more cost effective.

Vice President Chang: She asked how the funds are paid back.

Gilbertson: He said it depends on timing and when the apportionments arrive from the state. He said these funds have been delayed each year to the districts.

Mizuno: She said she borrowed approximately 1.5 million dollars from the funds to pay vendors and employees.

Member Garcia: He said his question was not about how much money or when it would be borrowed but if the county provided that information to all of the districts and Ms. Mizuno said yes.

Superintendent Hay: He added there is a priority for borrowing funds to meet cash flow: 1) from your own reserves, 2) Tax Revenue Anticipation Note (TRANS) which all of the districts can use (bridge financing) but not MetroED because we do not get tax revenues, 3) the next step is the county if they have the cash, 4) then the County Treasurer, and 5) last the State of California. He said the last step is when the state takes over the management of the school district.

Kathy Jasper: She said she wanted to talk about the overall budgeting process. She said a few years ago the District put together the first annual report in 2007-2008. She said the report says adult education serves nearly 20,000 students and this year we are projected to serve 7,400 students and next year 2,000 students. She said we are going to be 10% of the program we had been in 2007-2008. She said she was here this evening to fight for more programs and services. She said one way is with the reserves that were increased from 10% to 15%, there is another \$845,042 for a 34% reserve. She said next year we would be deficit spending; however, she did not understand why there had to be such huge reserves and why the money could not be spent on more services for students. She said if there was any way to keep the San Jose Center open.

Vice President Chang: She asked if the number was correct that we would be going from 20,000 to 2,000 students.

Superintendent Hay: He said that was exactly right and it began with the state cut the budget by 20% and we had to start reducing services for students. He said the program shifted back to Campbell UHSD and this year with the reduction, we think it will take us down to serving about 2,300 students. He said because the 15% reserve is a percentage, when the budget goes down, the reserves will go down as well. He said we are spending approximately \$700,000 of the reserves to fund the adult education program. He said it does become problematic when you get to 2013-14 because all of the contingency funds would be gone. He said this is a projection and as the budget is developed for next year we are fine tuning the numbers and projections. He said we are talking with CalWORKs and they have agreed to allow us to spend some of their funds on teachers. He said that is a huge gain for us. He said we want to provide a program to serve a maximum number of students and it means all of the facilities on the back of this campus need to be used for adult education purposes.

Vice President Chang: She asked if the number of students to be served will be the same over the next several years of 2,300.

Superintendent Hay: He said he believes it will be approximately the same. He said administration is working on ideas that will allow us to increase the number of teachers and the number of students using the same facilities which is being fine tuned at this time.

Vice President Chang: She said it seemed to her that the enrollment has decreased so much that the facility needs should be looked at proportionately to the number of students served. She said if we served 20,000 students and now there will only be 2,300 understanding we will be closing down some of the sites, we need to be realistic and we may not need as many facilities.

Superintendent Hay: He said we have three main centers right now; San Jose Center on Julian Street and Erikson Center on Pearl Avenue and the projections show closing both of those centers. He said it saves in administrative costs, it saves on rent we are currently paying San Jose USD, and it saves on utility costs, etc. He said the facilities on this campus, the new MC Village are brand new and we do not anticipate any maintenance costs over the next several years and there will be no rent costs. He said once the older site is renovated, the MC Annex, we will be able to use those facilities for little maintenance costs and no rent is incurred.

**MOTION**: It was moved the Governing Board accept the Second Interim Report and instructed the Board President and District to submit a positive certification to the County. M/Chang, S/Garcia; Call Vote: Unanimous

## **PERSONNEL FUNCTIONS**

### **9. Action Item: Approve Resolution #07-03-09-11, Resolution to Release Certificated Administrators from Assignment**

Daniel Gilbertson: He said this is March and is the deadline for notification in the state for certificated administrators from release in their assignments due to the need to adjust programs. He said administrators are assigned and do not go by seniority and the superintendent has the option to reassign to other assignments in the future.

Kathy Jasper: She said when there were 20,000 students three years ago there was one director and three assistant principals and the same this year when we are serving 7,400 students. She said it was a concern of her bargaining unit when administrators are reassigned it is done proportionate to the size of the program. She said the other concern they had was the compensation for those administrators and it be comparable to the number of students, the responsibilities and the size of the program.

President Canova: He said he wanted to be clear on how the process worked and if in the future we were in a position to rescind any portion of these decisions or all these decisions, how does that work by the calendar.

Gilbertson: He said the second and final notification to all certificated employees including administrators has to be done by May 15. He said the certificated resolution lists the positions and the names of individuals will be brought to the May meeting.

**MOTION**: It was moved to approve Resolution #07-03-09-11 to release Certificated Administrators from assignment. M/Garcia, S/Bieh; Roll Call Vote: Unanimous

### **10. Action Item: Approve Resolution #08-03-09-11 to Reduce or Release Certificated Positions at MAEP and CCOC**

Daniel Gilbertson: He said there are two components to this resolution. It is a combined listing of MAEP and CCOC certificated positions. He said the MAEP reduction is based on the action taken by San Jose USD. He said the reduction in services for CCOC is based on the on-going review of the program and curriculum. He said this is the first time we have done this so early in the year for CCOC, in the past it was done in May when we had enrollment information. He said we could do that when the CCOC teachers were classified as temporary and there were no requirements for notification. He said we are now treating our CTE

teachers as probationary and probationary employees have the right to be notified by March 15 if there is any possible chance of them being laid off at the end of the school term. He said this is very early for us to be able to project what is going to happen with our class loads. He said we are in the position of bringing you positions to be reduced when the draft for CCOC classes does not take place until May. He said it was his hope personally that we would be able to maintain all of the classes. He said with MAEP, it is due to the reduction in funds with the notification from SJUSD and we had initially planned to give notices to all certificated staff because they could take all the money at the last minute; however, after discussions with our superintendent, we will plan that they will not take further adult education funds. He said the resolution lists all of the programs that are slated to be reduced including the CalWORKs site representatives. He said according to Director Sylvia Karp, we have been assured that we will have approximately the same funding we have this year. He said there are 100 employees who may potentially be impacted.

President Canova: He said this Board hopes that we will be able to rescind many of these notifications. He asked why the state says we must do this by March 15.

Gilbertson: He said it was decided a long time ago by Education Code.

**MOTION**: It was moved the Governing Board approve Resolution #80-03-09-11 to reduce or release Certificated positions at MAEP and CCOC. M/Chang, S/Bobay; Roll Call Vote: Unanimous

## **XVI. EXECUTIVE REPORT/ADMINISTRATIVE REPORTS**

### CCOC Director John Fox:

- Jeff Schmidt and the Video Production class were awarded \$32,000 from Ohlone College to partner with them on an SB 70 grant. Mr. Schmidt will use the money to replace old eMAC computers in the classroom that do not run the new software to run the program. Mr. Schmidt wanted to be sure to express a thank you to Assistant Principal Sylvia Evans for ensuring Ohlone included CCOC in the grant.
- Vocational Counselor Chantu Nguyen announced the Almaden Rotary Club will provide a \$500 for a scholarship for a high school senior at CCOC. The scholarship applications are due by April 20.
- Per Chantu Nguyen, CCOC is participating in the Early Admissions Program offered by the six local community colleges. West Valley and Mission College kicked off the program last week and 101 students participated.
- The Annual Classic Car Show will be held on May 13 from 5:00 PM to 8:30 PM and all proceeds go to Skills USA.
- There will be two blood mobiles on campus on Friday to accommodate the students and staff that were unable to give blood at the Health Occupations first blood drive per Instructor Collette Betters.
- Ms. Betters had four students receive Gold Medals at the regional Skills USA competition and they will compete in the state competition as well. The students are Shawn Wright (Pioneer HS), Christine Salazar (Leland HS), Ioanna Markolefas (Leland HS), and Erika Anguiano (Lincoln HS). They all placed first in the First Aid/CPR contest.
- Dental Assisting student, Jessica Nava (Pioneer HS) earned a Silver medal.
- Victoria Straubinger reported that Job Corp has arranged a NOVA presentation for the Health Cluster on March 18.
- James Walker, Auto Careers Instructor, has his students developing video resumes highlighting their skills.
- Seda Otto, Program Representative, reported over 400 middle school students have visited CCOC over the past two days and the high school tours will begin on March 15.
- The CAROCP Coastal Conference will be held here on March 19 and the CCOC Open House is scheduled for March 25.

MAEP Director Sylvia Karp:

- Students have earned 1,545 high school credits and 25 students have completed their high school program and they will graduate in June.
- There are 28 students who have completed their adult basic skills classes and they are now enrolled in the high school diploma program with 10 of the students working towards their GED.
- Thirteen students have completed the Medical Assisting program.
- There were 22 students who passed the Mach CAHSEE and 32 who passed the ELA CAHSEE in November. The information for the February tests has not been provided.
- Two ESL faculty members are participating in the Alliance for Language Learners Integration, Empowerment, and Success which is funded through a grant from the Silicon Valley Community Foundation. The group will develop an on-going network where all adult ESL providers (community colleges, adult schools and community-based organization in Santa Clara and San Mateo County will participate to increase student transitions between the various providers and leverage resources to benefit the greatest number of students possible.
- ESL students have made 800 plus learning gains in the first half of the school year which translates to pay points for WIA grant funds. MAEP is on track to gain 1,700 pay points even without the students that are no longer attending who were in the Campbell Adult Education program last year.
- General Clerk students have earned 24 certificates this year which allows them to move into the Office Skills program.
- The CCAE Legislative Forum held last Friday was well-attended with over 120 adult education teachers and other staff to provide information to legislators on the plight of adult education in California and to learn about Assembly Bill 189. She thanked Board Member Biehl for attending and the students from the Culinary Arts and Baking & Catering classes for providing the food under the direction of their instructors, Nancy and Jan Joseph.
- The Metropolitan Adult Education Center (MC) International Day event is this Friday at the Hillsdale Church beginning at 9:00 AM and invitations were provided this evening for their International Evening celebration to be held here on campus on March 17.

CBO Gilbertson:

- He said administration is aware how the decisions being made on reduction of services and layoffs are to the students and staff. He said they will continue to work with staff to minimize the impacts. He will be offering workshops on job searches and resume writing as well as provide them with the job opportunities available and the process for unemployment, etc. He said all employees may attend the workshops and release time will be given to ensure those affected by layoffs may attend.

Superintendent Hay:

- He noted at the dais this evening were the following items:
  - Copies of tonight's PowerPoint Presentations
  - CSBA Factsheet: Legal Guidelines for Lobbying Activity
  - CSBA Factsheet: Use of public resources for ballot measures & candidates
  - 3/4/11 letter from SJUSD giving official notice that they're taking \$3.5 million of the Adult Ed funding
  - Announcement & Invitation to the CCOC Open House on March 25<sup>th</sup>
  - Copies of the Superintendent Awards handed out this evening
  - CAROCP Legislative Priorities dated March 7th
  - Summary Report to the CAROCP Board from Dr. Lloyd McCabe, newly appointed administrator for the Career & Workforce Innovations Unit, Ca. Dept of Ed. Of Interest:
  - CDE is looking at revising the CTE Model Curriculum standards to incorporate the new CA common core standards.

- The new SPI has stated that he wants to “revitalize CTE in our public schools system.”
- From the Legal Firm of Lozano Smith: The Brown Act with updates through the 2010 legislative session
- CAROCP Legislative Forum - Sacramento
- He attended this last Sunday and Monday the CAROCP Legislative Forum held in Sacramento.
  - We awarded Assembly Member Warren Furutani the 2011 CAROCP Legislator of the Year award
- CAROCP took support or approved positions on the following bills:
  - AB 224 (Bonilla) which would require additional indicators to be incorporated into the API, including the rates by which pupils complete a course of study that provides the skills and knowledge necessary to attain entry-level employment in business or industry.
  - AB 1304 (Furutani) calls for convening of a workgroup to develop program standards for the issuance of a recognition of study in linked learning
  - AB 1310 (Furutani) declares the legislature’s intent to enact legislation to develop a strategic plan in the education system for workforce preparation and career technical education. (spot bill).
  - AB 1330 (Furutani) would add completion of a CTE course as an alternative to the graduation requirement that a pupil complete a course in visual or performing arts or foreign language. This is the same as AB 2446 that last year passed the legislature unanimously, only to be vetoed by Gov. Schwarzenegger
  - SB 148 (Steinberg) provides non-Prop 98 funding stream to support new green partnership academies
  - SB 281 (Wyland) to require the SPI to consider ways to expand CTE in middle and high schools in the state. (spot bill).
  - SBX1 1 (Steinberg). Same as SB 148.
- They met with a number of legislators regarding support for CAROCP’s bill, SB 275 (Hancock) to establish a statewide accountability system for CTE and to create a regional grant funding program, after flexibility, to support the effective & efficient delivery of CTE programs of study.
- They also advocated for the Governor’s proposal to place a 5-year extension of the temporary taxes on the ballot for June.
- Last Thursday, he attended the California School Boards Association (CSBA) Advisory Council meeting in Sacramento. He was appointed by the President of CSBA to serve for a term of three years.

Vice President Chang: She asked what the deadline was for the governor’s proposal for the tax extension to be placed on the ballot.

Superintendent Hay: He asked Althea Polanski to share the information she received earlier on the vote.

Althea Polanski: She received a fiscal services alert from School Services earlier this evening that announced the governor has asked for a delay on the vote for the temporary tax extension for a few more days as he hopes to get the necessary votes; however, this will delay a vote to later in June. Thursday is the deadline to meet a June 7 election date.

## **XVII. BOARD COMMENTS**

### Member Gordon

- She shared the team from Prospect High School won the Mock Trial for Santa Clara County.
- Campbell UHSD held the fourth of the five ribbon cutting ceremonies for their new Performing Arts Centers and all of the productions have been sold out. Some of the schools have added additional performances to meet the demand.



Member Bobay

- He said Milpitas USD has been busy with special meetings as they are beginning the process to hire a new superintendent and they are replacing a board member to fill the remaining term of Mike Mendizabal who retired from their board in January.

President Canova:

- He said it is difficult to remain optimistic; however, he knows there will be better days ahead for education. He said going from 20,000 adult education students to 2,000 for next year is devastating.
- He shared Santa Clara USD is also looking for a new superintendent.
- He announced the ballot measure was defeated yesterday. It would have created a Mello Roos district for the 16,000 new homes San Jose is building in the north part of San Jose. They lose \$24 million a year due to San Jose's Redevelopment Agency (RDA). He said the developers for the project were in agreement with the ballot measure; however, there were special interests across the state in opposition. SCUSD will need to build new schools in the area to accommodate the students and they may need to go out for a bond.

**XVIII. OTHER MEETINGS**

The next regular meeting is scheduled for April 13, 2011 to be held in The Hub (cafeteria/lab) beginning at 7:00 PM preceded by closed session at 6:00 PM.

**XIX. ADJOURNMENT**

President Canova adjourned the meeting at 9:45 PM.

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Daniel Bobay, Clerk of the Board