

METROPOLITAN EDUCATION DISTRICT

**Governing Board Meeting Minutes  
November 8, 2006**

**I. CALL TO ORDER/ROLL CALL**

The open session of the regular meeting of the Governing Board of the Metropolitan Education District was called to order by President Chang at 6:05 p.m., Room 810 at the Central County Occupational Center, 760 Hillsdale Avenue, San Jose, CA 95136.

All Members present, except when noted "absent".  
Cynthia Chang, Los Gatos-Saratoga Union High School District  
Ernie Dossa, Santa Clara Unified School District  
Richard Garcia, San Jose Unified School District  
Diane Gordon, Campbell Union High School District  
Marsha Grilli, Milpitas Unified School District  
Craig Mann, East Side Union High School District

**II. DISCLOSURE OF "CLOSED SESSION" DISCUSSION ITEMS**

Items to be discussed in closed session are disclosed on the Board meeting agenda.

**III. ADJOURN TO CLOSED SESSION**

Board adjourned to closed session in Room 810 at 6:10 p.m.

**IV. REGULAR MEETING (continued)**

Regular session of the Board meeting reconvened in the CCOC Auditorium at 7:05 p.m.

**V. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Member Gordon.

**VI. REPORT OF CLOSED SESSION ACTIONS**

No actions were taken in closed session.

**VII. ADOPT AGENDA**

Motion to adopt the agenda. Motion/Gordon; Second/Grilli; Vote/Unanimous

**VIII. STUDENT REPORTS**

Superintendent Hallett reminded the Board of the trial method of using students at Board meetings. In lieu of utilizing the same students throughout the year as student Board members, different students from the CCOC and MAEP programs will report on activities.

MAEP

Director of MAEP, Susan Glass introduced Salina Camacho and Louis Pampo from the Work Experience/Bridge program. The students reported on their project with Second Harvest to collect a goal of 5,000 pounds of food for the hungry. The wrap-up for the drive will be on 12/4, and they will participate in a canned food sculpture on 12/7 where a walkway of food will be made. They are also dropping off food collection bags to get other community people involved.

CCOC

CCOC Dean and CCOC Student Council advisor Peter Vrabel introduced James Smith, president of the AM Student Council. James talked about the ideas the student council has come up with for helping others in the community. The council has discussed such ideas as: Toys for Tots, canned food drive, fundraisers for organizations who help people, cancer awareness, etc. The goal is to get the CCOC students out into the

community where young people can take part in helping others.

**IX. SPECIAL ORDER OF BUSINESS**

There were no special order of business items.

**X. PUBLIC PRESENTATIONS & REPORTS**

**A. Public Comments**

Cathy Jasper, representative from AFT:  
Thanked Superintendent Tim Hallett for his straight forward approach in dealing with her on union issues.

She expressed her pleasure with Measure 1D passing.  
The topics she presented to the Board she categorized as “employee morale issues”: AFT believes in attracting and keeping good quality teachers and the best way to do that is with salaries and benefits. She would like to see that teachers get increases that equal the COLA amount, like other adult education programs get. The benefits costs have increased this year from \$89 to \$152 per individual. Teachers also have a concern about job security; teachers have been given notice about closing classes. She suggested doing some brain storming with the Board on ideas for increasing enrollment and looking at the District reserves.

**XI. APPROVAL OF MINUTES**

1. Motion: To approve Minutes of Regular Board Meeting, October 11, 2006.  
Motion/Garcia; Second/Mann; Vote/Unanimous

**XII. CONSENT CALENDAR**

Motion: To approve the Consent Calendar items \*2 through \*8. Motion/Mann;  
Second/Dossa; Vote/Unanimous.

**BUSINESS AND FINANCIAL FUNCTIONS**

- \*2. Approved October Board Warrant Approval List

**PERSONNEL**

- \*3. Approved Certificated Personnel changes
- \*4. Approved Classified Personnel changes

**INSTRUCTIONAL AND STUDENT FUNCTIONS**

- \*5. Approved 2006-2007 MAEP Course Titles
- \*6. Approved CCOC Textbook
- \*7. Approved Agreement with Moreland School District
- \*8. Approved Reduction in Fees for MAEP’s Medical Assistant Program

**XIII. INFORMATION ITEMS**

**9. Information Item: Equalization Update**

Discussion:

Superintendent Hallett reviewed the agenda items from the JPA Superintendent/CBO meeting on October 23 to discuss equalization and to review the recommendations the CBOs brought to the meeting. He talked about the outcomes of the meeting.

First, the JPA Superintendents signed an agreement stating, “The undersigned members of the MetroED JPA Executive Council hereby recommend to the MetroED Superintendent that the following amendments to the Master Business

Relationship Agreements be approved by the MetroED Governing Board and forwarded to the JPA member Districts for approval: Amendment #1, CCOC Funding Model as amended 10/19/06; Amendment #3, Funding for Capitol High School, as amended 10/19/06.”

Second, a proposal to use the MetroED Capital Outlay funds for equalization resulted in a motion to not use these funds for equalization, and to use them for CCOC facilities purposes. A vote of 4 ayes and 2 no votes (Farber & Nunez)

Third, review of the MetroED Administrative structure resulted in the Superintendents making a recommendation that a study be done by an outside independent organization to determine if the organization is appropriate for the size of the operation. The “aye” vote was unanimous and the MetroED Superintendent was asked to provide a draft RFP for study at the next Executive Council meeting on December 11. Superintendent Hallett told the Board that the last management study took nine months, so there could be issues with getting the results to the Board in time for making a decision about the Superintendent. He said that MetroED management wants to do the study, but we need to think about the allocation of time required and the best time for doing this. Also, both CCOC and MAEP have WASC accreditation this next year which will require a great deal of their time. The time line will be taken back to the JPA Superintendents in December.

One issue that was not addressed by the CBOs in their meeting, and so did not come to the Executive Council, is the in-kind services in-lieu of lottery. Hallett asked Assistant Superintendent Paul Hay to talk about the agreement.

Paul Hay: The CBOs have had their meeting and came up with a recommendation which is a spin-off of the new funding model. Starting in FY 2007-08, districts pay for what they use. This recommendation does not address the adult education lottery, which is between MetroED, Campbell, and San Jose, and will be dealt with at another time.

Hallett said that the December 11 Executive Council meeting will address the lottery and governance issues. Tonight the Board is being asked to approve Amendments #1 and #3 which will then go to their Boards for approval.

Diane Gordon

Member Gordon commented that Campbell would be interested in seeing that the management study is done as soon as possible since the Master Business Agreements expire on June 2008. Before signing a new Agreement, Campbell will be very interested in knowing the results of the management study. Campbell feels that they have been burned and have overpaid.

Craig Mann

Member Mann said that he has a lot of doubt about the nine months that the study could take. He referred to two audits that East Side had completed in a very short period of time. His feeling is that the study needs to get going now.

Tim Hallett

Superintendent Hallett said that the last study did take nine months, right or wrong. It will be up to the Superintendents to decide on what are reasonable timelines.

Marsha Grilli

Member Grilli asked Superintendent Hallett if he was saying that we can specify timelines. Hallett said "yes", but we first need to know what it is we want studied.

Cynthia Chang

We need to get input from the Superintendents about the scope and what we want to learn. We don't want to wait until the Master Business Agreements expire, but we also want to be reasonable.

**XIV. ACTION ITEMS AND REPORTS**

**BOARD AND ADMINISTRATIVE FUNCTIONS**

**10. Action Item: Update/Revision to BB 9270: Conflict of Interest Code**

Discussion:

Superintendent Hallett noted that the revision to BB9270 is merely a change in titles to meet the requirements of the policy; the policy itself does not change.

Motion: That the Governing Board approve the noted changes in BB 9270. Motion/ Dossa; Second/Mann; Vote/Unanimous.

**BUSINESS AND FINANCIAL FUNCTIONS**

**11. Action Item: Approve Amendment #1 to Master Business Relationship Agreements with JPA Participating Districts: Capitol High School Funding**

Discussion:

Assistant Superintendent Paul Hay said that in the April 2006 Governing Board meeting, the Board adopted the policy that all MetroED ancillary programs must cover their full costs, including indirect costs. In addition, the Board authorized the Superintendent to commence negotiations with the JPA Participating Districts for a new funding model for the Capitol High School Program.

The JPA CBOs recommended language to the Executive Council at the October 20, 2006 meeting to amend the Capitol High School Program section of the Master Business Agreements between MetroED and its Districts. On October 23 the Executive Council recommended approval of the language by a vote of 5-1 (a "no" vote was cast by East Side Superintendent, Nunez because they do not utilize Capitol High). "Commencing with fiscal year 2006-07, Districts sending students to Capitol High School shall pay the full cost of those students attending the Capitol High School program."

Motion: That the Governing Board approve the Amendment #1 to the Master Business Relationship Agreements (Capitol High School Funding) for the six JPA Participating Districts. Motion/Dossa; Second/Grilli; Vote/5 "yes", Mann abstained.

**12. Action Item: Approve Amendment #2 to Master Business Relationship Agreements with JPA Participating Districts: (CCOC Funding Model)**

Discussion:

Assistant Superintendent Paul Hay said that on August 8, 2006, the JPA Superintendents agreed to a compromise plan for equalizing funding for students attending CCOC. The plan was approved in principle by the Board on August 23, 2006. The JPA CBOs drafted language for the Master Business Agreements for implementing the equalization plan. The Equalization plan includes: Equalization, beginning in 2006-07, will occur within a four year period; districts not generating sufficient ROP ADA revenue limit to cover the cost of their students attending

CCOC will pay 20% in 2006-07, 40% in 2007-08, 72% in 2008-09 and 100% in 2009-10. Payment can be made in dollars, the addition of ROP classes, or both. \$300,000 from the MetroED General Fund will be distributed in 2006-07 to the districts who have been generating dollars in excess of the cost of their students attending CCOC.

Motion: That the Governing Board approve amendment #2 to the Master Business Relationship Agreements for a new CCOC funding model for the six JPA participating districts. Motion/Mann; Second/Dossa; Vote/Unanimous.

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

Discussion: Assistant Superintendent Paul Hay presented the budget impacts.

Motion: That the Governing Board approve the budget changes included in the Monthly Budget Update for the period ended 10/31/06. Motion/Mann; Second/Garcia; Vote/Unanimous.

**14. Action Item: Request for Proposals (RFP) to appoint a District Architect**

Discussion:

Assistant Superintendent Paul Hay explained to the Board that the District has been working with the architectural firm, CSS, as approved by the Board, to provide architectural and project management services to reconfigure Building 700 and deferred maintenance projects at MetroED. The District anticipates on-going building renovation and deferred maintenance projects. In addition, Measure 1D on the ballot, if passed, will provide an opportunity for MetroED to apply for state modernization grants. These projects will require the services of an architect. Management is requesting Board approval to issue a Request for Proposal to appoint an architect. The results of the RFP will be brought to the January 2007 Board meeting.

Diane Gordon:

She cautioned the District in utilizing the same firm for architectural services and project management, as this can sometimes provide a conflict of interest. She referred to issues that arose in Campbell under circumstances of using the same firm for both services. If the District does decide to go that route, rigid requirements need to be stipulated as to the responsibilities of each.

Paul Hay:

Commented that the District is asking that the firms bid on both, but may not be used for both. Hay said that he is aware of the issues that Campbell came up against, and looks to the opportunity of sitting down with Member Gordon to discuss this.

Motion: That the Governing Board approve the Request for Proposal to appoint a District Architect. Motion/Grilli; Second/Gordon; Vote/Unanimous

**15. Action Item: Approve Change Order #001 to contract for replacement of transformers on the CCOC campus (Dynalectric-\$31,107)**

Discussion:

Assistant Superintendent Hay said that this is a change order to replace the buildings 200/300 transformer. The electrical consultant had misidentified the transformer as a 300 KVA transformer, when it should have been a 500 KVA transformer. MetroED has filed an amended deferred maintenance extreme hardship application hoping that the State Allocations Board will approve the upgrade. If the SAB does not approve the project, the District believes that the

electrical consultant and the architect are responsible for the costs of the upgrade.

Motion: That the Governing Board approve change order #001 between the Metropolitan Education District and Dynalectric in the amount of \$31,107. Motion/Gordon; Second/Mann; Vote/Unanimous

## PERSONNEL FUNCTIONS

**16. Action Item: Memorandum of Understanding between Metropolitan Education District Board and Superintendent Tim Hallett**

Motion: That the Governing Board approve the Memorandum of Understanding between Tim Hallett, Superintendent, and the Metropolitan Education District Board. This MOU assures that Hallett will receive the same increase in wages as given to the administrative team, valid from December 1, 2006 through June 30, 2008. Motion/Garcia; Second/Dossa; Vote/Unanimous

## INSTRUCTIONAL AND STUDENT FUNCTIONS

**17. Action Item: Waiver Request for Adult Education Innovation & Alternative Instruction Delivery Program: Percentage of Block Entitlement; Public Hearing**

President Cynthia Chang opened the public hearing at 7:47 p.m. and twice invited the public to comment; seeing no public comments, President Chang closed the public hearing at 7:48 p.m.

Motion: That the Governing Board approve the District's Request for a Waiver for Adult Education Innovation & Alternative Instruction Delivery Program: Percentage of Block Entitlement, close the public hearing and approve the waiver request application. Motion/Mann; Second/Gordon; Vote/Unanimous

## XV. EXECUTIVE REPORT/ADMINISTRATIVE REPORTS

Superintendent Report, Tim Hallett

WASC for both MAEP and CCOC will begin next week with both organizations going to trainings.

Letters were sent to District Superintendents regarding Board terms. I have provided a copy of the letters to Board members for those Districts who are required to re-appoint a MetroED representative; they are: Campbell, San Jose and Milpitas, also since Member Mann will be resigning from the East Side Board, East Side will need to appoint a Member for a period of 1 year. In addition, Campbell and San Jose are required to have alternate Board members because of adult education. When Adult Ed items are on the Board agenda, it requires a vote from both the Campbell and San Jose Members.

Bond Measure 1D passed

Representatives from the Office of Public School Construction and California Department of Education Facilities Division will be here tomorrow for a tour of CCOC. It is most unusual to have such a representative group visit and we are hoping to make some inroads into what Regional Occupational Centers are. You are welcome to attend, please let me or Joyce know if you would like to attend.

This is my last Board meeting, and I thank you and appreciate the Board's support over the last three and one-half years. I know that you will continue to work together as a team. This is a great place and there is nothing like it in the State. Thank you.

Member Chang

On behalf of the Board and the JPA Districts, I know that you will be thinking about us on Wednesday evenings.

Assistant Superintendent Report, Paul Hay:

Hay said that he was very excited about Measure 1D passing and that MetroED will start working on this next week. We have had a very active role in drafting the language. We will be sharing the progress with the Board.

T-Mobile has contacted us about putting a tower on the south east corner of the CCOC property and we will be coming back to the Board with the proposal.

Building 700 is about finished; we are going through the final checklist.

Jeff Ruster has recommended my appointment to the Work2Future Board and Finance committee to replace Superintendent Hallett. The recommendation should go to the San Jose City Council soon.

Wendy Zhang has received a \$1500 grant for the Certificated CBO training; she is the only candidate from Santa Clara County who received the grant.

CCOC Director Report, John Fox

On October 25, CCOC hosted the Santa Clara County School Boards Association annual dinner

On October 26 CCOC held a meeting of the advisory committees

Dale Poor, Multimedia instructor has become Google certified

Tomorrow we have a visit from State officials and we are doing an early spring cleaning

Sylvia Evans has been distributing "Lessons in a Box" to all district ROPs

CTE Summit was held in San Diego last month

Steve Bennett, Cabinet Making teacher and I toured Mission Bell and we met a 1978 graduate of CCOC who is their shop foreman.

On November 11 CCOC will hold a nursing graduation for 22 students

MAEP Director Report, Susan Glass

This is MAEP's fourth year for providing GED testing; we have test schedules to accommodate those who need hours in morning, afternoon and evenings. GED testers can now check their scores online.

Capitol High School has two 5<sup>th</sup> year seniors from Gunderson who are graduating.

El Civics students this year are working with the Department of Motor Vehicles.

**XVI. BOARD COMMENTS**

Member Mann

He wished his Board colleagues all the best in their endeavors and advised them to keep a healthy sense of skepticism.

Member Dossa

He thanked Superintendent Hallett for all that he has done and said that in his 38 years of education the superintendents he has most respected have been Perotti, Adams and now, Hallett because they all have good hearts.

Member Garcia

He apologized for not being able to make Tim's farewell party. He thanked Tim and said that when he came to the District that there were some tough times here. He has worked hard to pull the district together.

Member Gordon

She wished Craig good luck on the County Board.

She thanked Tim for his calm demeanor, and his always thoughtful, measured comments. It is important for a leader of an organization to maintain calm and control – this keeps things together.

Measure G passed. We have 2 new Members on the CUHSD Board. She said that she will be returning as a Board member from Campbell.

The Campbell Board had a celebration for 3 students who recently passed the CAHSEE; this was the Board's pledge to students who couldn't walk for graduation and later passed the exam.

Member Grilli

She thanked the staff and the students for the SCCSBA dinner last month; all of the students were amazing from the time we entered the campus. They made a point of talking to the guests, and they should be proud.

She thanked Superintendent Hallett for his service to MetroED over the past years. She said that he is leaving MetroED a better place.

Member Chang

She would like to echo Member's comments regarding Superintendent Hallett.

She wished Craig good luck.

She was re-elected to the Los Gatos-Saratoga Board. She said that she will probably be coming back next year and will look forward to working with Paul.

**XVII. OTHER MEETINGS**

Regular Meeting, December 13, 2006	Closed Session	6:00 pm
	Open Session	7:00 pm
Organizational Meeting, January 17, 2007	Closed Session	6:00 pm

**XVIII. ADJOURNMENT**

The meeting was adjourned at 8:10 pm

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Marsha Grilli, Clerk