



Board of Education
Minutes of Regular Board Meeting
October 25, 2016
(UNADOPTED)

Open Session

1. **CALL MEETING TO ORDER**

Board President Gunawan Alisantosa called the meeting to order at 6:30 p.m.

2. **ROLL CALL**

All Board members and Student Board representative were present.

Also present were Interim Superintendent Cheryl Jordan, Assistant Superintendents Wendy Zhang, Norma Rodriguez, and Executive Assistant Charito Cabantac .

3. **APPROVAL OF THE CLOSED SESSION AGENDA**

Motion: Approve the Closed Session agenda for the October 25, 2016 Board meeting

M/S Bobay/Lau Vote: 5-0

4. **COMMENTS FROM THE PUBLIC**

None.

5. **CLOSED SESSION**

The meeting moved to closed session at 6:32 p.m. to discuss/or take action on items on its closed session agenda.

6. **OPEN SESSION**

The Board reconvened in open session.

Mr. Alisantosa led the Flag Salute.

7. **APPROVAL OF THE OPEN SESSION AGENDA**

Motion: Approve the Open Session agenda for the October 25, 2016 Board meeting

M/S Bobay/Nuñez Vote: 5-0

8. **ACTIONS TAKEN IN CLOSED SESSION**

The Board voted

5-0 to accept the Interim Superintendent's recommendation for the position of elementary principal and

5-0 to accept the Interim Superintendent's recommendation for the position of secondary assistant principal.

9. COMMENTS FROM THE PUBLIC

None.

10. BOARD GROUP AGREEMENTS

The Board Group Agreements was on the agenda for easy reference for members of the Board. There was no discussion.

11. INTERIM SUPERINTENDENT'S REPORT

Cheryl Jordan invited recent appointees, Alicia Padilla, Principal of Weller Elementary School and Karisa Scott, Assistant Principal of Cal Hills High School, to say a few words.

Ms. Jordan showed the Certificate of Special Congressional Recognition from Cong. Mike Honda in recognition of the District's collaboration with the San Jose/Evergreen Community College District to bring college courses to the residents of Milpitas.

12. EXECUTIVE CABINET MEMBERS REPORTS

Wendy Zhang, Assistant Superintendent of Business Services, reported that new lighting fixtures around dark areas at MHS have been installed. This is an ongoing project to enhance safety at the school.

13. REPORTS

A. MILPITAS HIGH SCHOOL CLIMATE AND SAFETY REPORT

MHS Principal, Phil Morales, reported on the actions he had taken and his plan for engaging the school community, in particular, students and staff, in building on established practices that have contributed to a positive school climate in the past so that it can become even more vibrant and engaging.

B. RESPONSE TO FORMAL ADOPTION OF 2016-17 DISTRICT LOCAL CONTROL AND ACCOUNTABILITY PLAN

The District Local Control and Accountability Plan (LCAP) for 2016-2017 was presented and approved by the Board of Education at the June 28, 2016 meeting and submitted for approval to the Santa Clara County Board of Education.

In August 2016, the Santa Clara County reviewing team provided recommendations to content and process. A need to implement a more inclusive cyclical system for community engagement and ongoing monitoring, process was recommended.

A District LCAP committee was established and met to review the plan and seek input. Based on SCCOE and District -LCAP Committee recommendations, the following

revisions to the LCAP were made:

- Goal 1, pages 10-12, items 1.5, 1.7, 1.8, 1.9, 1.11, 1.12 and 1.15, 2.3;
- Goal 2, page 14, items 2.3 and 2.4;
- Goal 3, pages 18-19 items 3.1, 3.5 and 3.6.
- Add Professional Development for paraprofessionals who support interventions in the classroom
- Provide more teacher directed support for struggling students.
- PD Budget Revisions

In addition, the committee recommended to explore the possibility to provide additional parent engagement support by a person who speaks a second language.

Norma Rodriguez stated that after these changes were made, a letter dated September 15, 2016 was received by both the President of the Board and the Superintendent with formal notification that the LCAP was approved by the Santa Clara County Board of Education.

The Board thanked Mrs. Rodriguez for her report.

14. ACTION/DISCUSSION ITEMS

A. DISTRICT FACILITIES USE FEES

Section 14041 of the Civic Center Act states that the Board shall adopt a fee schedule that includes the hourly fee for each specific school facility and grounds.

At the last Board meeting, staff presented a comparison chart of fees charged for facilities using the City of Milpitas, SJUSD, and ESUSD. When this chart of fees sheet was previously discussed with the Board, staff did not have the custodial hourly rate charged by the City on the spreadsheet, and it was not included for comparison purposes.

The rationale for the recommended fee rates was provided to the Board. Following is the recommended schedule of new rates to take effect for events beginning January 2017:

FACILITY USE CHARGES

	Class I	CLASS II (minimal)	CLASS III (rental)
	MUSD-sponsored activities directly related to the educational program or activities sponsored by any other	Nonprofit organizations not directly related to District's educational program and/or charge admission, fees, dues or	Organizations engaged in fund-raising or profit-making activities for which the net proceeds are not to be

	approved Milpitas youth group.	contributions.	expended for the welfare of MUSD students.
Regular Classroom	NO CHARGE	\$16.00 per hour	\$18.80 per hour
Multipurpose Room	NO CHARGE	\$47.60 per hour	\$95.00 per hour
Theater (Milpitas High)	NO CHARGE	\$30.00 per hour 4-hour minimum required	\$68.75 per hour 4-hour minimum required
Large Gym (Milpitas High)	NO CHARGE	\$56.00 per hour	\$103.00 per hour
Small Gym (Milpitas High) ⁽¹⁾	NO CHARGE	\$41.25 per hour	\$82.50 per hour
Kitchen ⁽²⁾	NO CHARGE + Food Service staff cost	\$43.75 per hour + Food Service staff cost	\$81.25 per hour + Food Service staff cost
Football Field & Track ⁽¹⁾ Milpitas High	\$50 an hour for District personnel for site supervision Additional \$50.00 for Restroom Use	\$150.00 per hour - 3 hour minimum (includes 1 grounds person) Additional \$50.00 for Restroom Use	\$250.00 per hour - 3 hour minimum (includes 1 grounds person) Additional \$50.00 for Restroom Use
Soccer Field ⁽¹⁾ Milpitas High	\$50 an hour for District personnel for site supervision Additional \$50.00 for Restroom Use	\$100.00 per hour - 3 hour minimum (includes 1 grounds person) Additional \$50.00 for Restroom Use	\$125.00 - 3 hour minimum (includes 1 grounds person) Additional \$50.00 for Restroom Use
Baseball/Softball Fields ⁽¹⁾ Milpitas High	\$50 an hour for District personnel for site supervision Additional \$50.00 for Restroom Use	\$105.00 per hour - 3 hour minimum (includes 1 grounds person) Additional \$50.00 for Restroom Use	\$126.00 - 3 hour minimum (includes 1 grounds person) Additional \$50.00 for Restroom Use
Tennis Courts Milpitas High School	NO CHARGE	\$5.50/Court per hour	\$11.00/Court per hour
Rancho/Sinnott Field Lights	\$50.00/week	\$50.00/week	\$50.00/week
Practice Field ⁽¹⁾	NO CHARGE	\$10.00 per hour	\$20.00 per hour
Parking Lot	NO CHARGE	\$25.00 per hour	\$30.00 per hour
Scoreboard and Time Clock	NO CHARGE	\$25.00 per use	\$40.00 per use
Chairs	NO CHARGE	\$.75 each	\$1.25 each
Tables	NO CHARGE	\$2.00 each	\$4.00 each
PROCESSING FEE	NO CHARGE	\$25.00 per application (non-refundable)	\$25.00 per application (non-refundable)

B. RESOLUTION ENDORSING THE ESTABLISHMENT OF “MY NAME, MY IDENTITY CAMPAIGN”

In alignment with LCAP Goal 2, “*MUSD staff will successfully meet the social emotional needs of our students through intervention, service and support,*” the **My Name, My Identity campaign** seeks to bring awareness to the importance of respecting one’s name and identity in schools. Additionally, the **My Name, My Identity campaign** seeks to build a respectful and caring culture in school communities that values diversity.

Board members appreciated staff for bringing this resolution forward and indicated their support for this campaign. Mr. Bobay read the resolution.

Motion: Adopt Resolution 2017.22 endorsing the establishment of My Name, My Identity Campaign.

M/S

Bobay, Nuñez

Vote: 5-0

C. THREE-YEAR AGREEMENT WITH BMR HEALTH FOR SCHOOL PSYCHOLOGISTS

During this past spring and summer's recruiting season, the district advertised extensively for school psychologists. One reason presented for not coming to MUSD to work as a school psychologist is the difference in salary schedules where some districts have the psychologists on a separate and higher pay schedule from other certificated staff.

BMR is unique from other contracting agencies in that they will provide the District the opportunity to hire consultants out of BMR at a rate reasonable rate, as indicated on the attached MOU. The school psychologists are bilingual, which is where the District’s need lies.

Hourly Professional Rate 2016-17 School Year :

School Psychologist \$75 - \$85 per hour

Bob Nuñez wanted staff to look into the possibility of having a separate scale for the district’s psychologists for the next school year.

Motion: Approve the 3-year agreement with BMR Health for the 2016-2017, 2017-2018, and 2018-2019 school years to June 30, 2019

M/S

Nuñez/Norwood

Vote: 5-0

D. CONTRACT WITH PROCARE THERAPY

During this past spring and summer's recruiting season, the district advertised extensively for school psychologists. One reason presented for not coming to MUSD to work as a school psychologist is the difference in salary schedules where some districts have the psychologists on a separate and higher pay schedule from other certificated staff. Bob Nuñez wanted staff to look into the possibility of having a separate scale for the district's psychologists for the next school year.

Contracted psychologists are compensated at \$77.00 per hour, for the term September 1, 2016, to June 2, 2017.

Motion: Approve the contract with ProCare for the 2016-17 school year.

M/S

Nuñez/Bobay

Vote: 5-0

E. PROPOSAL TO INCREASE SUBSTITUTE TEACHERS' PAY

The district has been unable to fill 117 substitute requests between August 22 and October 6, 2016. There were several factors that contributed to the district's inability to fill these vacancies; for example, a large number of teachers on Leave of Absence, various staff in-services/trainings, and difficulty in recruiting and maintaining a large pool of substitutes during a robust local economy. Another factor is the district's inability to fill substitute vacancies is our Daily Sub Rate.

The Daily Sub Rate is currently \$130 a day for Class A short-term assignments and \$140 for Class A long-term assignments. For those teachers who are MUSD retirees or who have completed district training in classroom management (Class B), the pay is \$140 for short-term and \$150 for long-term assignments.

In October 2016 a Daily Sub Rate survey was conducted of local school districts. MUSD pay is second to last among eleven neighboring comparison districts. In an effort to attract a greater pool of skilled substitute teachers, and reduce our occurrences of unfilled absences, it is recommended to increase the district's substitute teachers' pay as follows:

Class A Daily - \$155;

Class B Daily - \$165;

Long Term (>30 days retro to the first day of service) Class A \$170;

Long Term (>30 days retro to the first day of service) Class B \$180.

MUSD substitute teachers Allyson McDonald and Amy Dawson spoke in support of sub teachers' pay increases, but asked that the pay rates be more in line with subs' pay at neighboring Fremont Unified School District. Board member Nuñez opined that long term subs rates need to be higher than what is being recommended because there is more work that goes into developing lesson plans, meeting with parents. He asked staff to look into the possibility of granting higher increases to long term subs if the district is financially able to do so. Daily rates should be amounts that would make teachers want to work in Milpitas instead of somewhere else. Board members wanted more comparisons with similar size school districts in Santa Clara County and suggested that staff look into what the district could financially afford to be competitive. Mrs. Jordan said she will try to come up with some creative ways for teachers to stay with the district and would bring it back for the Board to consider.

The proposed rate increases would take effect on November 1, 2016.

Motion: Approve the district's recommendation as stated above.

M/S Bobay/Lau Vote: 5-0

F. JOB DESCRIPTION OF SUPERVISOR, HUMAN RELATIONS SYSTEM AND THE POSITION'S PLACEMENT IN THE SALARY SCHEDULE

Since 2000-01 the number of staff in the Human Relations Department has decreased from 13 to 7 employees. As positions were eliminated work and job duties were re-distributed in an effort to maintain efficient personnel systems while effectively recruiting, growing and retaining MUSD school and support staff. The department has strived to enhance strong management and employee relations through trust in negotiations, labor relations, mediation, and collaboration in creating professional development opportunities for staff. MUSD staffing numbers are increasing in proportion to enrollment, currently there are 919 employees. The HR Team is not able to provide the highest caliber service desired for our employees while also maintaining accurate records and strong labor relations.

Cheryl Jordan explained that, in analyzing how to best reorganize the functions of the Human Relations department, staff has determined that the creation of the *Supervisor, Human Relations Systems* position would provide the support that is needed. The person in this position would support the Director in supervising the operational functions of the department such as position control, data systems, and compensation as well as some aspects of contract management. This would allow the Director to redirect more time towards personnel relations, recruitment, professional development programs, safety in the workplace, workers compensation, and return to work programs.

Mrs. Jordan stated that in an effort to minimize the budget impact of this new position, the pending vacancy in the Superintendent's Office, *Executive Secretary*, will not be filled. The *Executive Secretary* in the Human Relations Office will instead support both the Superintendent and the Assistant Superintendent.

Motion: Approve the job description of Supervisor, Human Relations Systems and the job's placement in the classified management pay schedule.

M/S Nuñez/Lau Vote: 5-0

15. CONSENT CALENDAR

Motion: Adopt the entire consent calendar (except Item 2 (Purchase Order Report) and Item 3 (MOT vehicle replacements), **thereby approving the following items:**

M/S Bobay/Norwood Vote: 5-0

1. Approve the October 25, 2016 Personnel Report
2. Review and approve the District's Purchase Order Report of October 25, 2016 (ITEM PULLED FOR DISCUSSION)
3. Accept the proposals from Downtown Ford Sales and Mission Valley Ford for MOT vehicle replacements (ITEM PULLED FOR DISCUSSION)
4. Approve the acceptance of the grant from the California Department of Education under the Workforce Innovation and Opportunity Act, Title II Adult Education and Family Literacy Act
5. Approve Kitchell's contract for construction management services at Milpitas High School's girls locker room, equipment storage and team room project
6. Approve the following field trip requests:

Milpitas High School - 4 students to compete in policy debate at the Damus Hollywood Invitational and USC Round Robin, in Sherman Oaks, CA. The group will leave on November 4, 2016, returning on November 8, 2016.

Burnett Elementary School - 90 students to visit Monterey Bay Aquarium on November 3, 2016, returning on the same day. The group will be transported by a district-approved bus.

Curtner Elementary School - 104 students to visit Mission San Juan Bautista on March 22, 2017, returning on the same day. The group will be transported by a district-approved bus.

Pomeroy Elementary School - 100 students to visit Monterey Bay Aquarium on March 29, 2017, returning on the same day. The group will be transported by a district-approved bus.

Milpitas High School - 4 students to compete in University of California Debate

Tournament. The group will leave on November 4, 2016, returning on November 7, 2016.

Milpitas High School - 50 AVID students will leave on November 3, 2016, returning on the same day, for a freshmen and sophomores college tour of San Francisco State University. Currently the bus company that will transport the students does not have insurance coverage. Therefore, **approval of this field trip by the Board is conditional on the bus company having an insurance coverage acceptable to the district.**

Milpitas High School - 56 AVID students will leave on November 10, 2016, returning on the same day, for a college tour of Hornet Athletic Center in Sacramento. Currently the bus company that will transport the students does not have insurance coverage. Therefore, **approval of this field trip by the Board is conditional on the bus company having an insurance coverage acceptable to the district.**

16. PURCHASE ORDER REPORT

Mr. Nuñez asked for this item to be pulled. He asked staff how close they are in completing the study on transportation. Wendy Zhang stated that they have only done a part of the analysis of the cost of field trips. They want to evaluate the entire transportation program rather than sharing just a piece of it with the Board. She expects to present the report to the Board in February 2017, if not earlier. Mr. Nuñez asked staff to send him a copy of the Ed. Code section allowing the district to contract out student transportation for field trips. Mrs. Jordan said she will comply with the request.

Motion: Approve the Purchase Order Report

M/S Nuñez/Bobay Vote: 5-0

17. MOT VEHICLE REPLACEMENTS

Wendy Zhang stated that the district has a 6-year transportation plan. The proposal before the Board is phase 1 to address the district's urgent need for new vehicles due to two vandalism incidents early this year. \$150,000 has been set aside from the Building Fund to take care of this 1-4 vehicle purchase. School buses is the next category and proposal on this will be brought to the Board at a later time.

Motion: Accept the proposals from Downtown Ford Sales and Mission Valley Ford for MOT vehicle replacements

M/S Nuñez/Bobay Vote: 5-0

18. BOARD COMMUNICATIONS/REQUESTS

Student Board representative Alan Pham reported on MHS school and student activities. Students are preparing for the Jack Emery Food Drive and the kickoff

brunch will be next Thursday.

Board member Chris Norwood reported that two weeks ago, he did some work with the Martin Luther King Library in downtown San Jose, which launched a program called, "San Jose Up" - a spinoff of the program called, "Upward bound" - program where first generation college students get after school tutoring support and monthly workshops in preparation for college. They are looking to bring that program at the Milpitas Library and help students attend San Jose State University.

Board member Danny Lau reported attending MHS Digital Business Academy's "mock job interviews" this morning. He also attended last week's water polo match at the High School.

Board member Bobay had no report.

Board member Nuñez reported attending the ribbon cutting ceremony at the Joint Use Center and a tour of the new facilities. He shared that he was re-elected NAACP Vice-President.

Board President Alisantosa attended fundraising with the Knights of Columbus for Milpitas High School's Special Ed. Program and that they have very generous donors this year and KC broke its fundraising record. Around February or March, KC will present a check to the district.

18 ANNOUNCEMENTS/DATES OF FUTURE BOARD MEETINGS

Mr. Alisantosa read future meetings dates for the Board.

Cheryl Jordan announced that this is Charito Cabantac's last Board meeting. She thanked her for her work, and wished her well on her retirement.

19 ADJOURNMENT

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Attest:

Cheryl Jordan
Interim Superintendent

Dan Bobay
Board Clerk
