

San José Unified School District 08-03-17 Regular Session Board Meeting Minutes

San José Unified School District Minutes 08-03-17 Regular Session Board Meeting

August 03, 2017 6:00 PM

Board Room

855 Lenzen Avenue

(District Administration Building)

Vision: Preparing today's students to be the thinkers, leaders, and creators of tomorrow.

Attendance Taken at 6:02 PM:

Present:

Teresa Castellanos

Susan Ellenberg

Pamela Foley

Kimberly Meek

Paymon Zarghami

A. Call to Order in Open Session - 5:00 PM

Minutes:

With Trustees Castellanos, Ellenberg, and Meek at the dais Board President Mrs. Foley called the meeting to order at 5:00 PM.

B. Adoption of Closed Session Agenda

C. Public Comments Regarding Closed Session Agenda Items

Minutes:

There were no public comments on closed session items E.1 through E.7.

D. Adjourn to Closed Session

Minutes:

The Board adjourned to closed session at 5:00 PM.

E. Closed Session Agenda

E.1. Student Discipline - Student Expulsion Hearings [Pursuant to Education Codes 35146 and 48918]

E.2. Personnel [Pursuant to Government Codes 54954.5 and 54957.1]

E.3. Conference with Legal Counsel - Anticipated Litigation [Pursuant to Government Code Section 54956.9(d)(2)]

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E.4. Conference with Legal Counsel - Existing Litigation [Pursuant to Government Code Section 54956.9(d)(1)]

E.5. Conference with Labor Negotiator [Pursuant to Government Code Sections 3549.1 and 54957.6]

E.6. Conference with Real Property Negotiators [Pursuant to Government Code Section 54956.8]

E.7. Public Employee Performance Evaluation

F. Reconvene in Open Session - 6:00 PM

Minutes:

Board President Mrs. Foley reconvened the meeting in open session at 6:02 PM.

G. Pledge of Allegiance

Minutes:

Student Board Member Ethan Dang led the Pledge of Allegiance.

H. Adoption of Open Session Agenda

Motion Passed: To adopt the agenda as amended. Passed with a motion by Kimberly Meek and a second by Teresa Castellanos.

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Paymon Zarghami

Minutes:

Superintendent Albarrán announced two amendments to the agenda: Item M.9 Service Agreement with Valley Fleet Clean - amend the agreement to indicate that the term of the agreement is July 1, 2017 through June 30, 2018 rather than through June 30, 2019. Item M.21 Service Agreement with Planned Parenthood - amend the agreement to indicate that services will be provided at all of the schools listed with the exception of Allen at Steinbeck.

I. Special Order of Business - None

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J. Announcements and Reports

J.1. Board of Education and Student Board Member

Minutes:

Student Board Member Ethan Dang announced that Leland Link Crew training took place this morning in preparation for the freshman orientation happening next Tuesday, August 8th and the first day of instruction is Wednesday, August 16th.

Ms. Castellanos had no report this evening.

Mr. Zarghami welcomed Student Board Member Ethan Dang to the Board. He said, "I am excited about the beginning of the school year and wish all of our families, students, teachers, and staff a wonderful start to the 2017-18 school year."

Ms. Meek commented, "The strategic planning day that was held for all of the administrative staff was excellent." Addressing Superintendent Albarrán she said "You did a fabulous job speaking and motivating people and really just making it exciting to come back. Thank you for making that a great day for everybody."

Mrs. Ellenberg had no report this evening.

Mrs. Foley also commented in regard to her attendance at the strategic planning day that was held a week ago for the administrative staff. She said, "The strategic planning session was a wonderful opportunity for all of the administrators to get together. I really enjoyed listening to people from each department and each school site tell us what their successes were, what their challenges were and how the district could help them." She also commented in regard to an article that was in the paper earlier this week about the results of the Grand Jury investigation on school district parcel taxes and exemptions for senior citizens. She said, "We took some heat in that article. I don't know how many of you read it, but it was a little frustrating to me to read San Jose Unified as someone who was called out as not doing things right necessarily." She requested that Deputy Superintendent Mr. McMahon include in his report this evening what the District could have done to spread the word about the exemption for senior citizens for the 2017-18 tax year and what the District can do to spread the word in a non-electronic way for the 2018-19 tax year.

J.2. Superintendent and Executive Staff

Minutes:

Superintendent Nancy Albarrán welcomed Seth Reddy, one of the two new Strategic Projects Administrators working specifically in Special Education. She said, "He and Denise Hwang, who isn't here, started a couple of weeks ago and I really appreciate how hard they both have been working getting into the data and asking questions." Reporting on the Strategic Plan Day that was held on Friday, July 28th she said, "It was a great day and I really want to thank the people that were instrumental in making it happen, particularly our executive assistants Raylene Ogden and Liliana Martinez.

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They did a great job negotiating contracts and making sure that all of the logistics were getting done. Also, Michael Woodard we could not have done it without you. The music, everything worked and he made it happen. Not only were we super excited, but the Gunderson staff was really excited about making the speaker system there work." She reported on her recent attendance along with staff at the last two Santa Clara County Office of Education Board of Education Meetings for the public hearings on Perseverance Preparatory School and Promise Academy. Superintendent Albarrán said, "We presented our rationale for why the district determined that it would not be authorizing those two charter schools. The County Board had some good questions particularly last night and they will be having their final votes in a couple of weeks. So we will keep you posted on that."

Deputy Superintendent Mr. McMahon addressed the Grand Jury report on school district parcel tax exemptions and reported on the process San Jose Unified used to communicate the information to the community. He said, "We actually had already implemented all of the recommendations of the Grand Jury during our process and were a little surprised that the article came out highlighting San Jose Unified. We did everything we could to reach every constituent. It seems like word of mouth and that personal touch was the best method. We had a lot of people talking about it. The City was supportive. They put it in their newsletters. We had local community groups mentioning it. We had over 1,200 people successfully turn in an application, which for the first year is a pretty good return rate. Peter Allen who headed the process got some very complimentary feedback from members of the community saying we were the best bureaucracy they have worked with when it came to completing a form. Peter did a really great job talking to people on the phone, helping them get the form in, and walking them through the steps they needed to take. We think it was a really good first year." Mr. McMahon also recognized Steve Adamo, Amy Ruffo, Ken Felice, and the construction team for working really hard to get the boardroom ready for tonight's meeting and for the work they are doing at Lenzen. He also recognized Corrin Reynolds for the work he has done with the program he proposed years ago to have people drive vans to transport students while they are training to become bus drivers. He said, "It has proven to be really successful. People can work while they are getting their bus driver's license. They transport students while they are taking the behind-the-wheel training to drive the bus. We just had nine people move from being a van driver to a full time bus driver. It is a great career pipeline for the employee and it is a great recruitment tool for us." Commenting on the challenges of student enrollment, he gave a special recognition to Jill Case for the work she does with families during the enrollment process. He said, "Not only is Jill doing amazing work being patient with the families and supporting them, She is doing it without being able to go home because she was a victim of the flood. There are a lot of families who are not going to be in the same place this school year because they were victims of that flood. That neighborhood has not fully recovered. So we are going to make sure we are looking out for those families and supporting them. So great job Peter, Amy, Ken, Steve, Jill, Corrin, well done."

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Associate Superintendent Jackie Zeller reported on the retreat for site administrators that was held last week. She said, "The morning was run by Curriculum and Instruction and the afternoon by Leadership Development. Elementary and secondary did some work around the curriculum for the year and scope and sequence and Leadership Development did work around the evaluation system and giving feedback to their teachers to improve instruction." She announced that new teacher orientation has been held this week. On Tuesday and Wednesday Secondary Curriculum and Instruction worked with the instructional framework and Elementary worked with the instructional framework and some of the curriculum. The new special education teachers were brought in today for a full day training on SIRAS. She said, "We are really excited about the new special education hires. They were enthusiastic today and they were quick learners, which is always good." She announced that teachers come back next week on Thursday for training by Curriculum and Instruction which is spread throughout the district. Extending an invitation to the Board Members she said, "If you would like to attend any of those, please let me know. I will find one that sound interesting to you. They will be all over so there is not one central place to go to. Elementary will be doing both the 10th and 11th, Secondary is doing only the 10th."

Assistant Superintendent J. Dominic Bejarano said, "We are looking forward to the start of the year." Reporting on the new teacher orientation he said, "Jacqueline Murphy and Patrick Bernhardt did a good job on Monday. Patrick went over the evaluation process with all of the teachers. It was a great idea to have him lead that versus having the district lead that process." He announced that although Human Resources has received some late resignations, the HR staff is working hard to fill all of the positions. He said, "They are reaching out immediately when people apply on EdJoin to get them in for the district interview and fill our positions as quickly as we can."

K. Public Comments

Minutes:

Public comments opened at 6:20 PM.

Speaker: Rebecca Everett

Topic: Title IX, recent findings in regard to Palo Alto School District's handling of sexual harassment cases, making sure SJUSD is handling these properly and following all Title IX compliance codes

Responding in regard to making sure that students feel safe and that incidents are reported, Mr. McMahon offered follow up to Ms. Everett by putting her in contact with the District's Director of Student Services, Dane Caldwell-Holden.

Public Comments closed at 6:22 PM.

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L. Minutes

L.1. Approval of the minutes of the Special Session Meeting and the Regular Session Meeting held June 15, 2017.

Motion Passed: To approve the minutes of the Special Session Meeting held on June 15, 2017, the Regular Session Meeting held on June 15, 2017 and the Special Session Meeting held on June 22, 2017. Passed with a motion by Paymon Zarghami and a second by Teresa Castellanos.

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Paymon Zarghami

Minutes:

The minutes of the Special Session Meeting held June 15, 2017, the Regular Session Meeting held June 15, 2017 and the Special Session Meeting held June 22, 2017 were approved as submitted.

L.2. Approval of the minutes of the Special Session Meeting held June 22, 2017.

Minutes:

The minutes of the Special Session Meeting held June 22, 2017 were approved along with the minutes of the Special Session and Regular Session Meetings held on June 15, 2017.

M. Approval of Consent Calendar

Motion Passed: To approve consent calendar items M.1 through M.65 with the exception of items M.21 and M.47. Passed with a motion by Teresa Castellanos and a second by Susan Ellenberg.

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Paymon Zarghami

Minutes:

Items M.21 and M.47 were pulled from the consent calendar. The consent calendar was approved with the exception of the pulled items.

M.1. Acceptance of Gifts (ACTION)

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M.2. California School Boards Association Annual Manual Maintenance and Gamut Online Subscriptions (ACTION)

M.3. Certificated Personnel Actions (ACTION)

M.4. Classified Personnel Actions (ACTION)

M.5. Short-term Limited Services Agreements (ACTION)

M.6. 3 Year License Agreement with Gray Step Software, Inc. (ACTION)

M.7. Monthly Reports for the Month of June 2017 (ACTION)

M.8. Santa Clara County Treasury Investment Portfolio Status March 2017 (ACTION)

M.9. Service Agreement with Valley Fleet Clean (ACTION)

M.10. Amendment No. 2 to Independent Contractor Agreement with Durham School Services (ACTION)

M.11. Service Agreement with Little Heroes (Terrell Elementary) (ACTION)

M.12. Service Agreement with Rhythm and Moves, Inc. (Hacienda Elementary) (ACTION)

M.13. Service Agreement with Rhythm and Moves, Inc. (Reed Elementary) (ACTION)

M.14. Service Agreement with Rhythm and Moves, Inc. (Simonds Elementary) (ACTION)

M.15. Service Agreement with Schmahl Science Workshops (Graystone Elementary) (ACTION)

M.16. Board Appointment of 2016-2018 Career Technical Education Advisory Committee (ACTION)

M.17. New Board Policy and Administrative Regulation 6152 - Instruction - Secondary Class Assignments (2nd Reading) (ACTION)

M.18. Service Agreement with Fresno County Office of Education (ACTION)

M.19. Service Agreement with Kriss Sunday Cummins (ACTION)

M.20. Service Agreement with Northwest Evaluation Association (NWEA) (ACTION)

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M.21. Service Agreement with Planned Parenthood Mar Monte (ACTION)

Motion Passed: That the Board of Education approve a Service Agreement with Planned Parenthood Mar Monte in an amount not to exceed \$70,000 to deliver 8 hours of instruction to 8th and 9th grade students in Sexual Health and HIV/AIDS during the 2017-18 school year.

Passed with a motion by Kimberly Meek and a second by Paymon Zarghami.

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Paymon Zarghami

Minutes:

Item M.21 was amended during the adoption of the agenda to indicate that services will be provided at all of the schools listed with the exception of Allen at Steinbeck.

Referring to last year's program Director of Secondary Curriculum and Instruction Deepa Mukherjee responded to Board Member questions in regard to the curriculum meeting the state requirements, how it was rolled out, the type of parent involvement that was done prior to the roll out, the time of day that the parent information sessions were held, how many parents attended, how parents can review the curriculum, whether there were any concerns from parents as well as feedback from students.

M.22. Service Agreement with Assessment Resources, Inc. [NPA] (ACTION)

M.23. Non-Regular Hourly Employment Agreement with Henderina Jansen, School Psychologist (ACTION)

M.24. Master Contract with 101 Therapy Staffing, The Stepping Stones Group Company [NPA] (ACTION)

M.25. Master Contract with Autism Living Leisure & Education Nurturing, Inc. (A.L.L.E.N., Inc.) [NPA] (ACTION)

M.26. Master Contract with Beacon School - Therapeutic Special Education Program [NPA] (ACTION)

M.27. Master Contract with Charis Youth Center [NPS] (ACTION)

M.28. Master Contract with Foundation for Hearing Research [NPS] (ACTION)

M.29. Master Contract with Morgan Autism Center [NPS] (ACTION)

M.30. Master Contract with Pacific Autism Center for Education [NPS] (ACTION)

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- M.31. Master Contract with Rebekah Children's Services [NPS] (ACTION)**
- M.32. Master Contract with Seneca Family of Agencies [NPA] (ACTION)**
- M.33. Master Contract with Seneca Family of Agencies [NPS] (ACTION)**
- M.34. Master Contract with Vista Center [NPA] (ACTION)**
- M.35. Service Agreement with Almaden Valley Counseling Service (ACTION)**
- M.36. Service Agreement with Catholic Charities of Santa Clara County (ACTION)**
- M.37. Service Agreement with Gardner Family Care Corporation (ACTION)**
- M.38. Service Agreement with THINK Together (ACTION)**
- M.39. Service Agreement with YMCA of Silicon Valley (ACTION)**
- M.40. Non-Regular Hourly Employment Agreements with San Jose Police Officers-Police Coordinators (ACTION)**
- M.41. Non-Regular Hourly Employment Agreements with San Jose Police Officers (ACTION)**
- M.42. Delegation of Authority to declare Items Surplus and to Sell or Dispose of Surplus Items (ACTION)**
- M.43. Purchase of Janitorial Equipment and Supplies from California Janitorial Supply (ACTION)**
- M.44. Purchase of Janitorial Equipment and Supplies from Interline Brands, dba SupplyWorks (ACTION)**
- M.45. Service Agreement Contract with Killroy Pest Control, Inc. (ACTION)**
- M.46. Approval of Purchase Order for Services Provided by Ryan Peacock, Inc. (ACTION)**

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M.47. Multi-Year Lease Agreement with Willow Glen Community Extended Day Enrichment Program (ACTION)

Motion Passed: That the Board of Education ratify the multi-year Lease Agreement with Willow Glen Community Extended Day Enrichment Program at Willow Glen Elementary School. Passed with a motion by Paymon Zarghami and a second by Susan Ellenberg.

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Paymon Zarghami

Minutes: Director of Operations, Facilities and Construction Steve Adamo responded to Board Member questions in regard to whether he was satisfied that the language in the lease agreement addresses the concerns of the residents of Iris Court.

M.48. Amendment 1 to Hazmat Doc - Monitoring Services - Contract (ACTION)

M.49. BID 3004C D&T Painting, Inc. - Painting Maintenance (ACTION)

M.50. BID 3024C B.T. Mancini Co., Inc. - Flooring Maintenance (ACTION)

M.51. BID 3003C - Playcore Wisconsin dba Gametime and Robertson Industries - Playground Modernizations (ACTION)

M.52. BID 3005C Tiber Painting, Inc. - Painting Maintenance (ACTION)

M.53. BID 3023C Tiber Painting, Inc. - Painting Maintenance (ACTION)

M.54. BID 3016C TSE Construction, Inc. - Construction Services (ACTION)

M.55. Change Order 2 to Contract 2049C - Ciari Plumbing, Inc. (ACTION)

M.56. Change Order 4 to Contract 2042C - Coastwide Environmental Technologies, Inc. (ACTION)

M.57. Change Order 6 to Contract 2047C - Delgado Electric (ACTION)

M.58. Change Order 4 to Contract 2056C - Galeb Paving, Inc. (ACTION)

M.59. Change Order 2 to Contract 2054C - Magnum Drywall (ACTION)

M.60. Change Order 3 to Contract 2054C - Magnum Drywall (ACTION)

M.61. Contract to Van Pelt Construction Services - Construction Management Services (ACTION)

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M.62. Ratification of Construction Related Contracts and Items (ACTION)

M.63. Purchase of New Furniture from Herman Miller, by Pivot Interiors on the U.S. Communities Government Purchasing Alliance, pre-negotiated contract (ACTION)

M.64. Downtown College Prep (DCP) Middle School Financial and Operational Memorandum of Understanding (MOU) (ACTION)

M.65. Downtown College Prep (DCP) High School Financial and Operational Memorandum of Understanding (MOU) (ACTION)

N. Action, Information, and Discussion Items

N.1. Adoption of Elementary Curriculum Materials (1st Reading) (INFORMATIONAL)

Minutes:

Associate Superintendent Jackie Zeller responded to Board Member questions as to whether the TeachTown curriculum would replace existing curriculum or if it is a new development in teaching special education as well as feedback from parents and measuring success.

Ms. Zeller explained that the TeachTown curriculum is new. It has two pieces to it, the basics and the social skills. Teachers will use it as a supplemental material in addition to what they are already doing. It was piloted during April and May of last year. The IEPs were very successful, more student participation has been reported and there were no negative comments from parents.

N.2. Resolution 2018-08-03-01 - Authorizing the Filing of Project Applications for Funding Under the State School Programs (ACTION)

Motion Passed: That the Board of Education approve and adopt Resolution 2018-08-03-01 - Authorizing the Filing of Project Applications for Funding Under the State School Programs. Passed with a motion by Susan Ellenberg and a second by Teresa Castellanos.

Yes Teresa Castellanos
Yes Susan Ellenberg
Yes Pamela Foley
Yes Kimberly Meek
Yes Paymon Zarghami

Minutes:

Deputy Superintendent Mr. McMahon responded to Board Member questions in regard to a list of projects that an application would be submitted for, whether this would negate the need for Measure H money and whether it runs parallel or is on top of [the Measure H money].

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Mr. McMahon said, "We have more projects identified as needs than Measure H can cover. If we submit projects that are eligible for this funding source it allows more capacity under Measure H. The first project that would go under this is the locker room upgrades at San Jose High School. This project will get submitted. We think it will be eligible and receive funding from the state. Going forward, if we have other projects that we think are eligible, it means relief for Measure H and Measure H being able to do more."

N.3. Memorandum of Understanding Between San José Unified School District and Almaden Valley Soccer Club Inc. dba Almaden Soccer for Shared Development and Joint Use of Pioneer High School Athletic Facilities (ACTION)

Motion Passed: That the Board of Education approve a Memorandum of Understanding (MOU) between San José Unified School District and Almaden Valley Soccer Club Inc. dba Almaden Soccer for the shared development and joint use of athletic facilities at Pioneer High School. Passed with a motion by Teresa Castellanos and a second by Paymon Zarghami.

Yes Teresa Castellanos
Yes Susan Ellenberg
Yes Pamela Foley
Yes Kimberly Meek
Yes Paymon Zarghami

Minutes:

Responding to Board Member questions about the MOU Deputy Superintendent Mr. McMahon explained that the MOU is contingent on the District acquiring the parcel of land located behind Pioneer High School from the City and Almaden Valley Soccer Club being able to raise the funds to make the improvements. In regard to the open contingencies he said, "If things don't go through as outlined in the agreement there is not going to be a deal."

N.4. Student Expulsion Case 2016-17-063 (ACTION)

Minutes:

Vote:

Yes Teresa Castellanos
Yes Susan Ellenberg
Yes Pamela Foley
Yes Kimberly Meek
Yes Paymon Zarghami

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N.5. Student Expulsion Case 2016-17-064 (ACTION)

Minutes:

Vote:

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Paymon Zarghami

O. Closed Session Report

Minutes:

Superintendent Nancy Albarrán gave the closed session report: During closed session the Board held a student expulsion hearing on case number 2016-17-063 and case number 2016-17-064. The Board discussed and authorized moving forward with personnel items by a vote of 5:0. The Board held a conference with legal counsel on anticipated litigation one case. The Board held a conference with legal counsel on existing litigation case number 2017060053. The Board held a conference with labor negotiators and a conference with real property negotiators on assessor parcel number 567-48-002.

P. Adjourn

Motion Passed: Passed with a motion by Teresa Castellanos and a second by Paymon Zarghami.

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Paymon Zarghami

Minutes:

The meeting adjourned at 6:41 PM.

P.1. Next Board Meeting - August 17, 2017
