

San José Unified School District 09-13-18 Regular Session Board Meeting Minutes

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September 13, 2018 6:00 PM

Board Room

855 Lenzen Avenue

(District Administration Building)

Mission: Uniting as one community, we elevate opportunities for all.

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

Attendance Taken at 6:00 PM:

Present:

Teresa Castellanos

Susan Ellenberg

Pamela Foley

Kimberly Meek

Michael Melillo

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

Minutes: With Trustees Foley, Meek and Melillo present at the dais, Board President Ellenberg called the meeting to order in open session at 5:01 PM.

B. Adoption of Closed Session Agenda

Motion Passed: To adopt the closed session agenda as amended. Passed with a motion by Michael Melillo and a second by Kimberly Meek.

Absent Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Michael Melillo

Minutes: Board Vice President Meek moved to adopt the closed session agenda. Trustee Foley seconded the motion.

Superintendent Albarrán announced one change to the closed session agenda.

Amend Item E.2. Conference with Legal Counsel - Anticipated Litigation to three (3) potential cases rather than two (2) potential cases.

Trustee Melillo moved to adopt the closed session agenda as amended. Board Vice President Meek seconded the motion.

The closed session agenda was adopted as amended.

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C. Public Comments Regarding Closed Session Agenda Items

Minutes: Public comments opened at 5:01 PM.

There were no public comments regarding closed session items.

Trustee Castellanos arrived at the meeting at 5:01 PM.

Public comments closed at 5:01 PM.

D. Adjourn to Closed Session

Minutes: The Board adjourned to closed session at 5:02 PM.

E. Closed Session Agenda

E.1. Personnel [Pursuant to Government Codes 54954.5 and 54957.1]

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

E.3. Liability Claims [Pursuant to Government Code Section 54956.95]

E.4. Conference with Labor Negotiator [Pursuant to Government Code Sections 3549.1 and 54957.6]

E.5. Public Employee Performance Evaluation

F. Reconvene in Open Session - 6:00 PM

Minutes: With Trustees Castellanos, Foley, Meek and Melillo present at the dais, Board President Ellenberg reconvened the meeting in open session at 6:00 PM.

G. Pledge of Allegiance

Minutes: Student Board Member Robert Gamble led the Pledge of Allegiance.

H. Adoption of Open Session Agenda

Motion Passed: To adopt the open session agenda. Passed with a motion by Teresa Castellanos and a second by Pamela Foley.

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Michael Melillo

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I. Public Comments

Minutes: Public comments opened at 6:01 PM.

There were four individuals that requested to speak in regard to topics not on the agenda. Each speaker was allocated two (2) minutes to address the Board.

Speaker: Andrea Reyna, teacher, Hoover Middle School

Topic: Revisit the subject of a name change for Burnett Middle School

Speaker: Cap Wilhelm-Safian, teacher, Peter Burnett Middle School

Topic: Possible name change for Burnett Middle School, request for advice on next steps to officially start the process

Speaker: Melissa Urbain, teacher, John Muir Middle School

Topic: EL programs, celebrating the growth of EL Learners and the supports provided by the District

Superintendent Albarrán responded in regard to the subject of a name change for Peter Burnett Middle School indicating that she has spoken with Principal Castro about initiating the process for submitting a proposal to the Board.

Speaker: Julia Casto, parent, Willow Glen Elementary

Topic: Food waste, request that the Board pass a resolution to reduce food waste at the school level

Public comments closed at 6:11 PM.

Complete public comments are located at 1:43 - 11:45 on the 09.13.18 Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

J. Special Order of Business

J.1. Support of Measure V - City of San José Affordable Housing Bond (ACTION)

Motion Passed: That the Board of Education and the San José Unified School District declare their support for Measure V - City of San José Affordable Housing Bond on the November 6, 2018 ballot. Passed with a motion by Pamela Foley and a second by Kimberly Meek.

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Michael Melillo

Minutes: Deputy Superintendent Stephen McMahon provided context on the recommendation, which included a brief background on the resolution addressing

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housing affordability that was passed by the Board of Education in October 2017 and information on the ballot measure that the City of San José has placed on the November ballot. The Board of Education asked questions about Measure V, discussed the issue of affordable housing, and indicated their support for Measure V - City of San José Affordable Housing Bond.

Discussion is located at 11:52 - 19:11 on the 09.13.18 Board Meeting Recording.
<https://sjusd.app.box.com/v/boardmeetingaudio>

J.2. Master Plan for San José Unified Properties - Step 1 (ACTION)

Motion Passed: That the District identify a set of properties that meet the following criteria: (1) properties that have the potential to better serve students, (2) properties that have the potential to positively address enrollment imbalances across schools, and (3) properties that have the potential to support employee housing projects. Passed with a motion by Pamela Foley and a second by Michael Melillo.

Yes Teresa Castellanos
Yes Susan Ellenberg
Yes Pamela Foley
Yes Kimberly Meek
Yes Michael Melillo

Minutes: Deputy Superintendent Stephen McMahon introduced the recommendation providing context and clarifying that following Board approval, staff would come back to the Board with a small subset of sites that meet the three criteria.

Deputy Superintendent Stephen McMahon's introduction and discussion by the Board of Education is located at 19:20 - 30:05 on the 09.13.18 Board Meeting Recording.
<https://sjusd.app.box.com/v/boardmeetingaudio>

K. Announcements and Reports

K.1. Board of Education and Student Board Member

Minutes: Board Members reported on visits to schools and committee and community meetings attended.

Student Board Member Robert Gamble announced that the ILC meeting dates have been set and that the first meeting would be held at Pioneer High School on October 22nd. He reported that students are currently experiencing a problem due to The College Board's switch to electronic fee waivers and that students at San José High School are not receiving their fee waivers. He plans to reach out to the other schools to see if they are experiencing the same issue.

Superintendent Albarrán added clarification that the District pays for the SAT for all of the juniors. She requested that Associate Superintendent Jodi Lax follow up. She let Student Board Member Robert Gamble know that he would receive an update from staff so that he could provide an update to the student leaders.

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Trustee Castellanos announced that she attended the SAAG (Station Area Advisory Group) Meeting. She updated the Board on the MetroED Master Agreement announcing that it expires this year. She requested that a study session be scheduled to discuss the District's relationship and history with MetroED, the current funding situation and the achievement gap.

Board Vice President Meek reported on her attendance at the PTA Council Meeting.

Trustee Foley announced that Supreme Court Justice Sonia Sotomayor recently paid a visit to Willow Glen Middle School. She explained that Justice Sotomayor's visit came about as a result of a partnership between the Willow Glen Education Foundation and Hickleebee's Book Store. She also announced that the Willow Glen High School Homecoming Parade would be held on Saturday, September 22nd.

Trustee Melillo reported that he attended the Pioneer High School Back to School Night, Reed, Pioneer, and John Muir PTA meetings and the Pioneer/Gunderson football game.

Board President Ellenberg reported that she attended a community meeting at Hester where the County Office of Education Special Needs Program is located. The meeting was in regard to neighborhood concerns about access to the property. She requested that staff review the food waste resolution that was proposed and the resolution she forwarded on suicide prevention for the Board's consideration. Addressing concerns about behaviors that are being observed in younger and younger children, she announced that Children's Hospital of Orange County recently opened the state's first in-patient program for children. She suggested having a discussion with the County about expanding or increasing school linked services to be able to offer more intensive counseling and services for younger kids.

Complete announcements and reports by the Board of Education are located at 30:10 - 53:35 on the 09.13.18 Board Meeting Recording.
<https://sjusd.app.box.com/v/boardmeetingaudio>

K.2. Superintendent and Executive Staff

Minutes: Assistant Superintendent J. Dominic Bejarano gave an update on the work Human Resources staff is doing to fill vacancies for classroom positions.

Associate Superintendent Jodi Lax gave an update on the 66 San José Unified high school students that participated in the Strive Summer Internship Program. She said, "It was a successful program. Students felt supported and appreciated the connection between their school work and the real world."

Deputy Superintendent Stephen McMahon recognized Student Board Member Robert Gamble for the "fabulous job" he is doing representing and advocating for the students in San José Unified.

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Superintendent Albarrán announced that she and Deputy Superintendent Stephen McMahon were in Sacramento on Monday continuing their advocacy in support of AB 1951 the Pathways to College Bill. She also addressed concerns about the extraordinary behaviors that are being observed in young children, particularly in K-2nd grade. She announced that the District is willing to commit resources to provide support to families but the services that are needed have not been located. She asked that anyone that knows of any services to contact her.

Reports and updates the Superintendent and Executive Staff are located at 53:45 - 1:04:09 on the 09.13.18 Board Meeting Recording.

<https://sjusd.app.box.com/v/boardmeetingaudio>

L. Minutes

L.1. Approval of the minutes of the Regular Session Meeting held August 23, 2018.

Motion Passed: To approve the minutes of the Regular Session Meeting held August 23, 2018. Passed with a motion by Michael Melillo and a second by Teresa Castellanos.

Yes Teresa Castellanos
Yes Susan Ellenberg
Yes Pamela Foley
Yes Kimberly Meek
Yes Michael Melillo

M. Approval of Consent Calendar

Motion Passed: To approve consent calendar items M.1 through M.29 with the exception of items M.13 and M.17. Passed with a motion by Teresa Castellanos and a second by Michael Melillo.

Yes Teresa Castellanos
Yes Susan Ellenberg
Yes Pamela Foley
Yes Kimberly Meek
Yes Michael Melillo

Minutes: Items M.13 and M.17 were pulled from the consent calendar. The consent calendar was approved with the exception of the pulled items.

M.1. Acceptance of Gifts (ACTION)

M.2. Certificated Personnel Actions (ACTION)

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M.3. Classified Personnel Actions (ACTION)

M.4. Short-term Limited Services Agreements (ACTION)

M.5. Revised TRADES Job Description (ACTION)

M.6. Service Agreement with Claremont Partners (ACTION)

M.7. Service Agreement with Interactive Health Solutions, Inc. (ACTION)

M.8. Early Childhood Education Program Agreement Between San José-Evergreen Community College District and San José Unified School District (ACTION)

M.9. Amendment to Service Agreement with JAMF Software, LLC (ACTION)

M.10. Service Agreement Contract with Republic Services (ACTION)

M.11. Student Body Funds (ACTION)

M.12. Monthly Reports for the Month of July 2018 (ACTION)

M.13. Santa Clara County Treasury Investment Portfolio Status June 2018 (ACTION)

Motion Passed: That the Board of Education receive and file the June 2018 Detailed Investment Portfolio Listing as submitted by Emily Harrison, Director of Finance, County of Santa Clara. Passed with a motion by Pamela Foley and a second by Teresa Castellanos.

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Michael Melillo

Minutes: Item M.13 was pulled from the consent calendar for discussion.

Deputy Superintendent Stephen McMahon responded to Board Member comments regarding the under performance of certain funds in the Santa Clara County Treasury Investment Portfolio.

Discussion of item M.13 is located at 1:04:59 - 1:08:33 on the 09.13.18 Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

M.14. Approval of Field Trips (ACTION)

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M.15. City of San José D3 Decides Participatory Budgeting Program Grant Award (ACTION)

M.16. Master Contract with Foundation for Hearing Research [NPS] (ACTION)

M.17. Service Agreement with Fresno County Office Of Education (ACTION)

Motion Passed: That the Board of Education approve a Service Agreement with the Fresno County Office of Education in the amount of \$63,246.12 to provide unlimited online use for the Cyber High program to all SJUSD school students during the 2018-19 school year.

Passed with a motion by Teresa Castellanos and a second by Kimberly Meek.

Yes Teresa Castellanos

Yes Susan Ellenberg

Absent Pamela Foley

Yes Kimberly Meek

Yes Michael Melillo

Minutes: Item M.17 was pulled from the agenda for discussion. One green request to speak card was submitted for this item.

Speaker: Kristen Brown

Topic: Cyber high concerns

Kristen Brown's comments are located at 1:08:52 - 1:10:08 on the 09.13.18 Board Meeting Recording.

Trustee Foley left the meeting at 7:11 PM.

Deputy Superintendent Stephen McMahon responded to some of the questions raised by the speaker.

Board President Ellenberg asked Associate Superintendent Jodi Lax to include information about Cyber High in her report at the next meeting.

Discussion of Item M.17 is located at 1:08:34- 1:12:59 on the 09.13.18 Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

M.18. Service Agreement with Greenesport Association (ACTION)

M.19. Service Agreement with Kaplan K12 Learning Services, LLC (ACTION)

M.20. Service Agreement with Little Heroes (Horace Mann) (ACTION)

M.21. Service Agreement with Little Heroes (Trace) (ACTION)

M.22. Service Agreement with Rhythm and Moves, Inc. (BooksIn) (ACTION)

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M.23. Service Agreement with Schmahl Science Workshops (Booksin) (ACTION)

M.24. Service Agreement with Starting Arts, Inc. (ACTION)

M.25. Service Agreement with SportsLine Software/RegisterMyAthlete (ACTION)

M.26. BID 3055C ICC General Contractors, Inc., - General (ACTION)

M.27. Change Order 3 to Contract 3037C/RC Benson & Sons, Inc. (ACTION)

M.28. Change Order 6 to Contract 3028RFP Radonich Corp DBA Cal Coast Telecom, Inc. (ACTION)

M.29. Ratification of Construction Related Contracts and Items (ACTION)

N. Action, Information, and Discussion Items

N.1. Amendment to Administrative Regulation 1220 - Community Relations - Citizen Advisory Committees (1st Reading) (INFORMATIONAL)

Minutes: This item is informational.

One green request to speak card was submitted for this item.

Speaker: Sue Pavlik

Topic: In support of the Amendment to Administrative Regulation 1220, requested a work study session between CAC-SE and the Board

Sue Pavlik's comments are located at 1:15:25 - 1:17:08 on the 09.13.18 Board Meeting Recording.

Trustee Castellanos left the meeting at 7:13 PM. She returned to the meeting at 7:14 PM.

Discussion of Item N.1 is located at 1:13:05 - 1:17:13 on the 09.13.18 Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

N.2. Adoption of the Orange County Office of Education ELD Connections Toolkit for grades TK-5, SEI and SDC classrooms (1st Reading) (INFORMATIONAL)

Minutes: This item is informational.

Associate Superintendent Jodi Lax responded to Board Member questions about the Orange County Office of Education Connections Toolkit.

Discussion of item N.2 is located at 1:17:14 - 1:19:16 on the 09.13.18 Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

N.3. Resolution 2019-09-13-01 - Gann Appropriations Limit (ACTION)

Motion Passed: That the Board of Education approve and adopt Resolution 2019-09-13-01 - Gann Appropriations Limit to identify the 2017-2018 actual and 2018-2019 estimated Appropriations Limit pursuant to the requirements of Division 9 (commencing with Section 7900) of Title I of the Government Code. Passed with a motion by Teresa Castellanos and a second by Kimberly Meek.

Yes Teresa Castellanos

Yes Susan Ellenberg

Absent Pamela Foley

Yes Kimberly Meek

Yes Michael Melillo

Minutes: There was no discussion.

N.4. 2017-2018 Unaudited Financial Statement (ACTION)

Motion Passed: That the Board of Education approve the 2017-2018 Unaudited Financial Statement and have it filed with the county superintendent of schools. Passed with a motion by Teresa Castellanos and a second by Kimberly Meek.

Yes Teresa Castellanos

Yes Susan Ellenberg

Absent Pamela Foley

Yes Kimberly Meek

Yes Michael Melillo

Minutes: Deputy Superintendent Stephen McMahon gave an overview of the 2017-18 Unaudited Financial Statement. Following his presentation he responded to questions and comments from the Board.

Discussion of Item N.4 is located at 1:19:50 - 1:43:38 on the 09.13.18 Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

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O. Closed Session Report

Minutes: Superintendent Nancy Albarrán gave the closed session report: In closed session the Board discussed and authorized moving forward with personnel items by a vote of 5:0.

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Michael Melillo

The Board held a conference with legal counsel on anticipated litigation three (3) cases.

The Board denied liability claims by Maureen Campbell for Jack Harris (minor) and Jennifer Teixeira by a vote of 5:0.

Yes Teresa Castellanos

Yes Susan Ellenberg

Yes Pamela Foley

Yes Kimberly Meek

Yes Michael Melillo

The Board held a conference with labor negotiators and the Board discussed the Superintendent's evaluation.

P. Adjourn

Motion Passed: To adjourn the meeting. Passed with a motion by Teresa Castellanos and a second by Kimberly Meek.

Yes Teresa Castellanos

Yes Susan Ellenberg

Absent Pamela Foley

Yes Kimberly Meek

Yes Michael Melillo

Minutes: The meeting adjourned at 7:43 PM.

P.1. Next Board Meeting - September 27, 2018
