

## **San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

### **San José Unified School District Minutes 06-27-19 Regular Session Board Meeting**

June 27, 2019 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 6:02 PM:**

##### Present:

Teresa Castellanos

Carla Collins

Jose Magana

Kimberly Meek

Brian Wheatley

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

Minutes: With Board President Teresa Castellanos and Trustees Carla Collins, José Magaña and Brian Wheatley present at the dais, Board President Kimberly Meek called the meeting to order in open session at 5:00 PM.

#### **B. Adoption of Closed Session Agenda**

**Motion Passed:** To adopt the closed session agenda. Passed with a motion by Teresa Castellanos and a second by Brian Wheatley.

Yes Teresa Castellanos

Yes Carla Collins

Yes Jose Magana

Yes Kimberly Meek

Yes Brian Wheatley

#### **C. Public Comments Regarding Closed Session Agenda Items**

Minutes: There were no public comments regarding closed session items E.1 through E.6.

#### **D. Adjourn to Closed Session**

Minutes: The Board adjourned to closed session at 5:01 PM.

#### **E. Closed Session Agenda**

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

## **San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

**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) or (3) or (4)]**

**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. Public Employee Performance Evaluation**

### **F. Reconvene in Open Session - 6:00 PM**

Minutes: With Board President Teresa Castellanos and Trustees Carla Collins, José Magaña and Brian Wheatley present at the dais, Board President Kimberly Meek reconvened the meeting in open session at 6:02 PM.

Board Vice President Teresa Castellanos announced that equipment is available for Spanish translation.

### **G. Pledge of Allegiance**

Minutes: Board President Kimberly Meek led the Pledge of Allegiance.

### **H. Adoption of Open Session Agenda**

**Motion Passed:** To adopt the open session agenda as amended. Passed with a motion by Teresa Castellanos and a second by Brian Wheatley.

Yes Teresa Castellanos

Yes Carla Collins

Yes Jose Magana

Yes Kimberly Meek

Yes Brian Wheatley

Minutes: Superintendent Nancy Albarrán announced three amendments to the open session agenda.

Amend item M.9. Approval of Service Agreements for Legal Counsel for the 2019-2020 Fiscal Year to remove Ball/Frost Group from the list of service agreements and have the record reflect that the hourly amounts for each service agreement are available on a summary page at today's meeting and that those amounts will be recorded in the minutes. Note: A copy of the summary page listing the hourly rates for legal services is available as an addendum to the minutes of the June 27, 2019 Regular Session Meeting that are attached to the August 8, 2019 Regular Session Board Meeting Agenda. <https://agendaonline.net/public/sanjose>

Amend item M.28. Middle School Supplemental Reading List. Amend the recommendation

## **San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

to say that the Board of Education approve the addition of the novels A Long Walk to Water by Linda Sue Park and Sylvia & Aki by Winifred Conkling to the list of approved novels for use in 6-8 grade Language Arts classes rather than vote to approve the Middle School Supplemental Reading List at the August 8, 2019 Board Meeting.

Amend item N.8. Amendment to Service Agreement with The Schoennauer Company LLC. Amend the recommendation to be an amount not to exceed \$32,500 rather than \$35,000.

The open session agenda was adopted as amended.

### **I. Public Comments**

Minutes: Public comments opened at 6:05 PM.

The first four speakers were allocated two (2) minutes each to address the Board in regard to employee housing.

Speaker: Sandra Delvin

Topic: Employee Housing & Teacher Retention

Speaker: Tobin Gilman

Topic: Employee Housing Website Updates

Speaker: Buford Barr

Topic: Leland/Bret Harte Plan

Speaker: Marjorie Freedman

Topic: Employee Housing Plan

The next three speakers were allocated two (2) minutes each to address the Board in regard to various topics.

Speaker: Nick Heimlich

Topic: Preuss School

Speaker: Katie Colón

Topic: Field Trip Chaperone Policy

Speaker: Isabel Iorizzo

Topic: Liability denial

The next two speakers were allocated two (2) minutes each to address the Board in regard to River Glen School.

Speaker: Roberto Gil

Topic: River Glen School

## **San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

Speaker: Brianna Rivera

Topic: River Glen

The next eight speakers were allocated one minute 30 seconds each to address the Board in regard to Washington Elementary School.

Speaker: Isaac Gonsales

Topic: Washington Elementary

Speaker: Maria Marcelo

Topic: Washington Elementary

Speaker: Beatriz Uribe

Topic: Washington Elementary

Speaker: Maria Vallejo

Topic: CCP Program, Washington Elementary

Speaker: Maria Barrera

Topic: CCP Program, Washington Elementary

Speaker: Adriana Leon

Topic: Washington Elementary

Speaker: Maricruz Vargas

Topic: Washington Elementary

Speaker: Maria Villalobos

Topic: Washington Elementary

The next two speakers representing the Building Trades Council were allocated two (2) minutes each to address the Board on their respective topics.

Speaker: David Bini

Topic: Building Trades Council Grievance

Speaker: Jose Cabrera

Topic: Building Trades Grievance

Speaker: David Bini

Topic: Building Trades Council contract expiration

The last speaker was allocated two (2) minutes to address the Board.

Speaker: Kristen Brown

Topic: CHIME

## San José Unified School District 06-27-19 Regular Session Board Meeting Minutes

Public comments closed at 6:46 PM.

Public comments are located at 2:54 - 44:04 on the 06.27.19 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

### J. Special Order of Business

#### J.1. Charter School Petition for Eureka! Inclusive (ACTION)

**Motion Passed:** That the Board of Education deny the petition for establishment of Eureka! Inclusive and adopt as its written factual findings the accompanying reports. Passed with a motion by Brian Wheatley and a second by Carla Collins.

Yes Teresa Castellanos

Yes Carla Collins

No Jose Magana

No Kimberly Meek

Yes Brian Wheatley

Minutes: Superintendent Nancy Albarrán reminded the Board Members that this action that has been requested of the Board is part of the authorization process. She announced that Tiffany Maciel and Dr. Emily Nusbaum would be allocated a combined five (5) minutes to respond to the report following Deputy Superintendent Stephen McMahon's summary of the process up to this time.

Deputy Superintendent Stephen McMahon explained the process that was taken upon receipt of the Eureka! Inclusive Charter Petition including the date of the public hearing and the review process which has been followed for several years.

Eureka! Founder and lead petitioner Tiffany Maciel and Dr. Emily Nusbaum each addressed the Board on behalf of Eureka! in response to the findings in the report.

Eureka! supporters were allocated one minute and 40 seconds each to address the Board.

Speakers in support of the Charter Petition for Eureka! Inclusive:

John Ramirez, Jr., Founding Executive Director

Andy Silvert, fiscal consultant for Eureka!

Christine Fitzgerald

Stacy Melton

Angie Lopez

Retta Conley Robertson

There was one request to speak card submitted in opposition to the charter. The speaker was allotted two (2) minutes to address the Board.

Speaker: David Daman, retired data analyst

Topic: Supports the denial at this time

## **San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

Following the public comments, Board President Kimberly Meek requested that members of the audience attending in support of the Eureka! Inclusive Charter Petition show their support by standing.

Board President Kimberly Meek opened the Board's discussion of the Eureka! Charter Petition, the legal review by San José Unified School District's legal counsel John Yeh, the charter school petition review by School Works and the written response submitted by Eureka! Inclusive.

Eureka! Founder Tiffany Maciel and members of Eureka! Inclusive Charter's leadership and advisory team as well as San José Unified's legal counsel John Yeh, Superintendent Nancy Albarrán and Deputy Superintendent Stephen McMahon responded to the comments and questions from the Board Members.

Board Member questions and discussion included the detail to support the vision of the charter, the denial from the El Dorado SELPA, Eureka! Inclusive's budget and financial viability, the financial liability to San José Unified if Eureka! Inclusive were to be authorized under the San José Unified SELPA and the criteria used to look at the petition. Following the Board's discussion, the Charter School Petition for Eureka! Inclusive was denied by a vote of 3:2.

Following the Board's decision, Superintendent Nancy Albarrán summarized the current charter petition review process and requested consensus from the Board in providing direction to staff in regard to changing the process as suggested. The consensus of the Board was to stay with the current process.

Eureka!'s response, public comments and the Board's questions and discussion of the Charter Petition for Eureka! Inclusive are located at 44:07 - 2:41:27 on the 06.27.19 Regular Session Board Meeting Recording.  
<https://sjusd.app.box.com/v/boardmeetingaudio>

### **K. Announcements and Reports**

Minutes: At 8:44 PM Board President Kimberly Meek announced that the Board would take a five (5) minute break.

Board President Kimberly Meek reconvened the meeting at 8:51 PM.

#### **K.1. Board of Education and Student Board Member**

Minutes: Board President Kimberly Meek requested that given the hour, Board Members hold their reports until the next meeting unless they have something urgent to report.

Trustee Brian Wheatley referred to discussions about the need to develop trauma informed schools and announced that what is happening on the border is creating

## **San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

trauma for a generation of kids and families. He encouraged everyone to read Adam Serwer's article that appeared in The Atlantic on June 20th.

Trustee José Magaña announced the arrival of Emme Claire and thanked the Board for their grace in his absence from the June 13th Board Meeting.

Board Vice President Teresa Castellanos commented that the trauma Trustee Wheatley referenced will also affect future generations.

Announcements and Reports by the Board of Education are located at 2:41:42 - 2:42:53 on the 06.27.19 Regular Session Board Meeting Recording.  
<https://sjusd.app.box.com/v/boardmeetingaudio>

### **K.2. Superintendent and Executive Staff**

Minutes: There were no additional updates from the Superintendent and Executive Staff.

## **L. Minutes**

### **L.1. Approval of the minutes of the Regular Session Meeting held June 13, 2019.**

**Motion Passed:** To approve the minutes of the Regular Session Meeting held June 13, 2019. Passed with a motion by Teresa Castellanos and a second by Brian Wheatley.

Yes Teresa Castellanos  
Yes Carla Collins  
Yes Jose Magana  
Yes Kimberly Meek  
Yes Brian Wheatley

Minutes: The minutes of the Regular Session Meeting held June 13, 2019 were approved as submitted.

## **M. Approval of Consent Calendar**

Minutes: Item M.9. Approval of Service Agreements for Legal Counsel for the 2019-2020 Fiscal Year was amended during the adoption of the open session agenda to remove Ball/Frost Group from the list of service agreements and have the record reflect that the hourly amounts for each service agreement are available on a summary page at today's meeting and that those amounts will be recorded in the minutes. Note: A copy of the summary page listing the hourly rates for legal services is available as an addendum to the minutes of the June 27, 2019 Regular Session Meeting that are attached to the August 8, 2019 Regular Session Board Meeting Agenda. <https://agendaonline.net/public/sanjose>

Item M.28. Middle School Supplemental Reading List was amended during the adoption of the open session agenda to amend the recommendation to say that the Board of Education approve the addition of the novels A Long Walk to Water by Linda Sue Park and Sylvia &

## **San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

Aki by Winifred Conkling to the list of approved novels for use in 6-8 grade Language Arts classes rather than vote to approve the Middle School Supplemental Reading List at the August 8, 2019 Board Meeting.

Items M.31 and M.55 were pulled from the Consent Calendar for discussion.

The Consent Calendar was approved with the exception of Items M.31 and M.55 by a vote of 5:0.

Yes Teresa Castellanos

Yes Carla Collins

Yes José Magaña

Yes Kimberly Meek

Yes Brian Wheatley

The approval of the Consent Calendar is located at 2:43:05 - 2:43:49 on the 06.27.19 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

### **M.1. Management Personnel Actions (ACTION)**

### **M.2. Certificated Personnel Actions (ACTION)**

### **M.3. Classified Personnel Actions (ACTION)**

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

### **M.5. Service Agreement with Alliant Insurance Services, Inc. (ACTION)**

### **M.6. Service Agreement with Claremont Partners - Data Analytics (ACTION)**

### **M.7. Service Agreement with Claremont Partners - Health Program Integration (ACTION)**

### **M.8. Service Agreement with Analytic (ACTION)**

### **M.9. Approval of Service Agreements for Legal Counsel for the 2019-2020 Fiscal Year (ACTION)**

Minutes: Item M.9. Approval of Service Agreements for Legal Counsel for the 2019-2020 Fiscal Year was amended during the adoption of the open session agenda to remove Ball/Frost Group from the list of service agreements and have the record reflect that the hourly amounts for each service agreement are available on a summary page at today's meeting and that those amounts will be recorded in the minutes. Note: A copy of the summary page listing the hourly rates for legal services is available as an addendum to the minutes of the June 27, 2019 Regular Session Meeting that are attached to the August 8, 2019 Regular Session Board Meeting Agenda. <https://agendaonline.net/public/sanjose>



**San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

**M.10. Amendments to Administrative Regulation 3551 - Food Service Operations/Cafeteria Fund (2nd Reading) (ACTION)**

**M.11. Revised Student Handbook for the 2019-20 School Year (2nd Reading) (ACTION)**

**M.12. Renewal of the Service Agreement with Blackboard, Inc. (ACTION)**

**M.13. Renewal of the Service Agreement with Cloudlock, Inc. (ACTION)**

**M.14. Service Agreement with The College Board (ACTION)**

**M.15. Renewal of the Service Agreement with DecisionEd Group, Inc. (ACTION)**

**M.16. Purchase of Dell Chromebooks for the 2019-2020 Student Technology Refresh (ACTION)**

**M.17. Renewal of the Service Agreement with Infinite Campus (ACTION)**

**M.18. Renewal of the Annual Maintenance Agreement with JAMF Software, LLC (ACTION)**

**M.19. Renewal of the Service Agreement with Qualtrics, LLC (ACTION)**

**M.20. Memorandum of Understanding with the Santa Clara County Office of Education (ACTION)**

**M.21. Renewal of the Annual Support and License Agreement with Tyler Technologies, Inc. (ACTION)**

**M.22. Service Agreement with Community School of Music and Arts (ACTION)**

**M.23. LEA Addendum for the 2019-2020 School Year (ACTION)**

**M.24. Service Agreement with Kate O'Malley (ACTION)**

**M.25. Adoption of Elementary Supplemental Material - Scholastic, Inc. (2nd Reading) (ACTION)**

**M.26. Adoption of Elementary Supplemental Material - School Specialty (2nd Reading) (ACTION)**

**M.27. Adoption of Assessment: Station ISIP Reading Assessment (2nd Reading) (ACTION)**

**M.28. Middle School Supplemental Reading List (ACTION)**

## **San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

Minutes: Item M.28. Middle School Supplemental Reading List was amended during the adoption of the open session agenda to amend the recommendation to say that the Board of Education approve the addition of the novels A Long Walk to Water by Linda Sue Park and Sylvia & Aki by Winifred Conkling to the list of approved novels for use in 6-8 grade Language Arts classes rather than vote to approve the Middle School Supplemental Reading List at the August 8, 2019 Board Meeting.

**M.29. Service Agreement with Achieve3000, Inc. (ACTION)**

**M.30. Service Agreement with DreamBox Learning (ACTION)**

**M.31. Memorandum of Understanding between San José Unified School District and the City of San José regarding the Student Identification Library Card Program (ACTION)**

**Motion Passed:** That the Board of Education approve the Memorandum of Understanding between San José Unified School District and the City of San José regarding the San José Public Library Student ID Library Card Program. Passed with a motion by Teresa Castellanos and a second by Carla Collins.

Yes Teresa Castellanos

Yes Carla Collins

Yes Jose Magana

Yes Kimberly Meek

Yes Brian Wheatley

Minutes: Trustee José Magaña commented that the MOU is a great opportunity for San José Unified to continue to build a great partnership with the City of San José and bring literacy into the homes of San José Unified students.

The discussion and approval of Item M.31 is located at 2:43:51 - 2:44:59 on the 06.27.19 Regular Session Board Meeting Recording.  
<https://sjusd.app.box.com/v/boardmeetingaudio>

**M.32. Service Agreement with Follett School Solutions, Inc. (ACTION)**

**M.33. Service Agreement with Planned Parenthood Mar Monte (ACTION)**

**M.34. Community Advisory Committee (CAC) for Special Education SELPA IV - Member Nomination (ACTION)**

**M.35. Master Contract with 360 Degree Customer, Inc. [NPA] (ACTION)**

**M.36. Master Contract with AchieveKids [NPS] (ACTION)**

**M.37. Service Agreement with The Bay School [NPS] (ACTION)**

**M.38. Master Contract with Creekside School [NPS] (ACTION)**

- M.39. Master Contract with The Devereux Foundation [NPS] (ACTION)**
- M.40. Master Contract with EdTheory Staffing Services [NPA] (ACTION)**
- M.41. Master Contract with Foundation for Hearing Research [NPS] (ACTION)**
- M.42. Master Contract with Heritage Schools, Inc. [NPS] (ACTION)**
- M.43. Master Contract with Kinship Academy [NPS] (ACTION)**
- M.44. Master Contract with Kinship Academy [NPS] (ACTION)**
- M.45. Master Contract with Logan River Academy [NPS] (ACTION)**
- M.46. Master Contract with Pacific Autism Center for Education [NPS] (ACTION)**
- M.47. Master Contract with Palo Alto Preparatory School [NPS] (ACTION)**
- M.48. Master Contract with Pine Hill School [NPS] (ACTION)**
- M.49. Master Contract with Rebekah Children's Services [NPS] (ACTION)**
- M.50. Master Contract with Spectrum Center Schools [NPS] (ACTION)**
- M.51. Master Contract with Uplift Family Services [NPA] (ACTION)**
- M.52. Master Contract with Villa Santa Maria, Inc. [NPS] (ACTION)**
- M.53. Authorization of Blanket Purchase Orders for Fleet Services for Fiscal Year 2019-20 (ACTION)**
- M.54. BID 3076C Strawn Construction, Inc. - General (ACTION)**
- M.55. Contract to California Commercial Pools - Design/Build Services (ACTION)**

**Motion Passed:** That the Board of Education approve a contract to California Commercial Pools in the amount of \$5,736,810.00 to provide Design/Build Services as required for the 2019 Pool Modernization project at multiple sites (Project 80049). Passed with a motion by Brian Wheatley and a second by Teresa Castellanos.

Yes Teresa Castellanos  
Yes Carla Collins  
Yes Jose Magana  
Yes Kimberly Meek  
Yes Brian Wheatley

## **San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

Minutes: There was one request to speak card submitted for public comments on Consent Calendar Item M.55.

Speaker: Olivia Navarro

Topic: Against approval of the contract to California Commercial Pools

Deputy Superintendent Stephen McMahon and Director of Facilities and Operations Steve Adamo responded to Board Member comments and questions in regard to contracting with California Commercial Pools.

Public comments, discussion and approval of Item M.55 are located at 2:45:01 - 3:01:58 on the 06.27.19 Regular Session Board Meeting Recording.  
<https://sjusd.app.box.com/v/boardmeetingaudio>

**M.56. Delegation of Power to Contract - Fire Alarm Testing & Inspections (ACTION)**

**M.57. Delegation of Power to Contract - Horace Mann Exterior Improvements (ACTION)**

**M.58. Amended and Restated Lease Agreement with Pacific Autism Center for Education (ACTION)**

**M.59. Agreement with Almaden Valley Soccer Club, Inc. for the Joint Use, Development and Lease of Athletic Fields at Pioneer High School (ACTION)**

**M.60. Three Year Lease Agreement with Continuing Development, Inc. (ACTION)**

**M.61. Three Year Lease Agreement with Pasitos Preschool, LLC (ACTION)**

**M.62. Contract Ratification List (ACTION)**

**M.63. Delegation of Power to Contract (ACTION)**

### **N. Action, Information, and Discussion Items**

**N.1. Public Disclosure of, Certification of, and Ratification of Successor Collective Bargaining Agreement with AFSCME (ACTION)**

**Motion Passed:** That the Board of Education accept the public disclosure of, accept the certification of, and ratify the successor collective bargaining agreement with the American Federation of State, County, and Municipal Employees, Local 101 (AFSCME). Further, that the Board of Education delegate to the Superintendent or her designee the authority to take any and all actions necessary to implement the agreement effective July 1, 2019. Passed with a motion by Teresa Castellanos and a second by Brian Wheatley.

## San José Unified School District 06-27-19 Regular Session Board Meeting Minutes

Yes Teresa Castellanos  
Yes Carla Collins  
Yes Jose Magana  
Yes Kimberly Meek  
Yes Brian Wheatley

Minutes: AFSCME President Israel Goins and the AFSCME bargaining team members made public comments in regard to the Public Disclosure of, Certification of, and Ratification of Successor Collective Bargaining Agreement with AFSCME. As the bargaining group representative, AFSCME President Israel Goins was allocated five (5) minutes to address the Board. The remaining AFSCME bargaining team members Lilia Valenzuela, Cristian Rodriguez, and Michael Woodard and Business Agent Jo Bates were each allocated two (2) minutes to address the Board.

Board Vice President Teresa Castellanos and Trustee Brian Wheatley extended thanks to the bargaining teams.

Superintendent Nancy Albarrán commended the bargaining teams on their work and commented in regard to their presentation at the Labor Management Initiative event that was held in San Diego.

Deputy Superintendent Stephen McMahon presented the highlights of the Successor Bargaining Agreement with AFSCME.

Comments by the AFSCME Bargaining Team, Board Members and Superintendent, presentation by Deputy Superintendent and Board approval of the Public Disclosure of, Certification of and Ratification of Successor Collective Bargaining Agreement with AFSCME are located at 3:02:01 - 3:11:45 on the 06.27.19 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

### **N.2. Public Disclosure of, Certification of, and Ratification of Successor Collective Bargaining Agreement with SJTA (ACTION)**

**Motion Passed:** That the Board of Education accept the public disclosure of, accept the certification of, and ratify the successor collective bargaining agreement with the San José Teachers Association (SJTA). Further, that the Board of Education delegate to the Superintendent or her designee the authority to take any and all actions necessary to implement the agreement effective July 1, 2019. Passed with a motion by Teresa Castellanos and a second by Brian Wheatley.

Yes Teresa Castellanos  
Yes Carla Collins  
Yes Jose Magana  
Yes Kimberly Meek  
Yes Brian Wheatley

Minutes: SJTA President Patrick Bernhardt made public comments in regard to the Public Disclosure of, Certification of, and Ratification of Successor Collective

## **San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

Bargaining Agreement with SJTA. As the bargaining unit representative Mr. Bernhardt was allocated five (5) minutes to address the Board. Deputy Superintendent Stephen McMahon presented an overview of the highlights of the Successor Collective Bargaining Agreement with SJTA.

Superintendent Nancy Albarrán commended the SJTA Bargaining Team for their dedication and their professionalism.

Deputy Superintendent Stephen McMahon responded to a Board Member question in regard to tying compensation to evaluations.

Comments by SJTA President Patrick Bernhardt, Board Members and Superintendent, presentation by Deputy Superintendent, responses to questions and Board approval of the Public Disclosure of, Certification of and Ratification of Successor Collective Bargaining Agreement with SJTA are located at 3:11:46 - 3:19:58 on the 06.27.19 Regular Session Board Meeting Recording.  
<https://sjusd.app.box.com/v/boardmeetingaudio>

### **N.3. Updated Salary Schedule for San José Unified Management Employees (ACTION)**

Minutes: Trustee Brian Wheatley moved to approve Items N.3 and N.4 together.

Trustee Carla Collins seconded the motion.

Three Request to Speak cards were received for public comments in regard to Item N.4. Employment Agreements for Superintendent and Executive Staff.

Speaker: David Daman

Topic: For the Employment Agreements for Superintendent and Executive Staff with a brief request

Speaker: Jaquie Salazar

Topic: Against the Employment Agreements for Superintendent and Executive Staff

Speaker: Yanet Salazar

Topic: Against the Employment Agreements for Superintendent and Executive Staff

Trustee Brian Wheatley moved to approve Items N.3 and N.4.

Trustee José Magaña seconded the motion.

Deputy Superintendent Stephen McMahon presented the highlights of the Updated Salary Schedule for San José Unified Management Employees and the Employment Agreements for Superintendent and Executive Staff.

The motion to approve Item N.3. Updated Salary Schedule for San José Unified Management Employees and Item N.4. Employment Agreements for Superintendent and Executive Staff passed by a vote of 5:0.

## San José Unified School District 06-27-19 Regular Session Board Meeting Minutes

Yes Teresa Castellanos  
Yes Carla Collins  
Yes José Magaña  
Yes Kimberly Meek  
Yes Brian Wheatley

Public comments, presentation by Deputy Superintendent, Board member comments and approval of the Updated Salary Schedule for San José Unified Management Employees and Employment Agreements for Superintendent and Executive Staff are located at 3:20:00 - 3:26:56 on the 06.27.19 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

### **N.4. Employment Agreements for Superintendent and Executive Staff (ACTION)**

Minutes: Item N.4. Employment Agreements for Superintendent and Executive Staff was approved along with Item N.3. Updated Salary Schedule for San José Unified Management Employees.

### **N.5. Adoption of San José Unified's Strategic Plan, Local Control and Accountability Plan, and Budget, Including Measure Y Parcel Tax (ACTION)**

**Motion Passed:** That the Board of Education adopt the Strategic Plan, Local Control and Accountability Plan, and Budget, including the Measure Y parcel tax. Passed with a motion by Teresa Castellanos and a second by Carla Collins.

Yes Teresa Castellanos  
Yes Carla Collins  
Yes Jose Magana  
Yes Kimberly Meek  
Yes Brian Wheatley

Minutes: The Board's Adoption of San José Unified's Strategic Plan, Local Control and Accountability Plan, and Budget, including Measure Y Parcel Tax is located at 3:27:01 - 3:27:37 on the 06.27.19 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

### **N.6. Resolution 2019-06-27-03 - Support for California Schools and Local Communities Funding Act**

**Motion Passed:** That the Board of Education approve and adopt Resolution 2019-06-27-03 Support for California Schools and Local Communities Funding Act. Passed with a motion by Jose Magana and a second by Brian Wheatley.

Yes Teresa Castellanos  
Yes Carla Collins  
Yes Jose Magana  
Yes Kimberly Meek  
Yes Brian Wheatley

## San José Unified School District 06-27-19 Regular Session Board Meeting Minutes

Minutes: There was one request to make public comments in regard to Resolution 2019-06-27-03 - Support for California Schools and Local Communities Funding Act. The speaker was allocated two (2) minutes to address the Board.

Speaker: David Daman

Topic: Strongly in favor of Support for California Schools and Local Communities Funding Act

Public comments, Board Member comments and the Board's approval and adoption of Resolution 2019-06-27-03 - Support for California Schools and Local Communities Funding Act are located at 3:27:38 - 3:28:21 on the 06.27.19 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

### **N.7. Service Agreement with Kelly Snider Consulting (ACTION)**

**Motion Passed:** That the Board of Education approve a Service Agreement with Kelly Snider Consulting in an amount not to exceed \$18,000 and with a term through December 31, 2019 to support moving forward with the Master Plan for San José Unified Facilities. Passed with a motion by Teresa Castellanos and a second by Jose Magana.

Yes Teresa Castellanos

Yes Carla Collins

Yes Jose Magana

No Kimberly Meek

Yes Brian Wheatley

Minutes: Board President Kimberly Meek announced that request to speak cards had been received from Muge Wang, Cheney, and Brenda Dohmen who had left the meeting prior to the Board's consideration of the item.

Superintendent Nancy Albarrán and Deputy Superintendent Stephen McMahon responded to Board President Kimberly Meek's request for an update on the progress on the list of properties.

Board Member comments and questions, responses by Superintendent Nancy Albarrán and Deputy Superintendent Stephen McMahon and the Board's approval of the Service Agreement with Kelly Snider Consulting are located at 3:28:23 - 3:43:27 on the 06.27.19 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

### **N.8. Amendment to Service Agreement with The Schoennauer Company LLC (ACTION)**

**Motion Passed:** That the Board of Education amend the Service Agreement with The Schoennauer Company LLC to an amount not to exceed \$32,500 and to a term through December 31, 2019. Passed with a motion by Brian Wheatley and a second by Carla Collins.

Yes Teresa Castellanos



## San José Unified School District 06-27-19 Regular Session Board Meeting Minutes

Yes Carla Collins  
Yes Jose Magana  
No Kimberly Meek  
Yes Brian Wheatley

Minutes: Item N.8. Amendment to Service Agreement with The Schoennauer Company LLC was amended during the adoption of the open session agenda to amend the recommendation to be an amount not to exceed \$32,500 rather than \$35,000.

There was one request to make public comments in regard to Item N.8., the Amendment to the Service Agreement with The Schoennauer Company LLC. The speaker was allocated two (2) minutes to address the Board.

Speaker: Nick Heimlich  
Topic: Against the Schoennauer Company Contract

Deputy Superintendent Stephen McMahon and Superintendent Nancy Albarrán responded to Board Member questions in regard to the scope of the work to be done by The Schoennauer Company LLC.

Board Vice President Teresa Castellanos called the question.

There was no second to the motion to call the question.

Discussion continued. Deputy Superintendent Stephen McMahon responded to a Board Member question in regard to when the initial assessment would be made public.

Board Vice President Teresa Castellanos repeated her motion to call the question.

Trustee Brian Wheatley seconded the motion to call the question.

The motion to call the question passed by a vote of 4:1.

Yes Teresa Castellanos  
Yes Carla Collins  
Yes José Magaña  
No Kimberly Meek  
Yes Brian Wheatley

Discussion ended. The motion to approve the Amendment to the Service Agreement with The Schoennauer Company LLC passed by a vote of 4:1.

Board Member questions and responses by Deputy Superintendent Stephen McMahon and Superintendent Nancy Albarrán and the Board's approval of the Amendment to Service Agreement with The Schoennauer Company are located at 3:43:28 - 3:54:33 on the 06.27.19 Regular Session Board Meeting Recording.

## San José Unified School District 06-27-19 Regular Session Board Meeting Minutes

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

### **N.9. Resolution No. 2019-06-27-01 California Department of Education Child Development Division Contract Agreement No. CSPP-9575 (ACTION)**

**Motion Passed:** That the Board of Education approve Resolution 2019-06-27-01 California Department of Education Child Development Division Contract Agreement No. CSPP-9575 for a cost reimbursable amount not to exceed \$2,667,411 to provide state preschools at Allen at Steinbeck, Almaden, Anne Darling, Galarza, Gardner, Grant, Hacienda, Horace Mann, Lowell, and Washington during the 2019-20 school year. Passed with a motion by Teresa Castellanos and a second by Jose Magana.

Yes Teresa Castellanos

Yes Carla Collins

Yes Jose Magana

Yes Kimberly Meek

Yes Brian Wheatley

Minutes: The Board's approval of Resolution No. 2019-06-27-01 California Department of Education Child Development Division Contract Agreement No. CSPP-9575 is located at 3:54:34 - 3:55:13 on the 06.27.19 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

### **N.10. Resolution 2019-06-27-02 - Board Member Compensation (ACTION)**

**Motion Passed:** That the Board of Education approve and adopt Resolution 2019-06-27-02 authorizing no loss of compensation for the absence of Trustee José Magaña from the June 13, 2019 Regular Session Board Meeting due to hardship. (BB 9250, Education Code 35120) Passed with a motion by Carla Collins and a second by Brian Wheatley.

Yes Teresa Castellanos

Yes Carla Collins

Abstain Jose Magana

Yes Kimberly Meek

Yes Brian Wheatley

Minutes: The Board's approval of Resolution No. 2019-06-27-02 - Board Member Compensation is located at 3:55:15 - 3:55:49 on the 06.27.19 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

### **N.11. Student Expulsion Case 2018-19-027 (ACTION)**

Minutes:

Vote:

Yes Teresa Castellanos

Yes Carla Collins

Yes José Magaña

Yes Kimberly Meek

## **San José Unified School District 06-27-19 Regular Session Board Meeting Minutes**

Yes Brian Wheatley

The Board's action on Student Expulsion Case 2018-19-027 is located at 3:55:51 - 3:56:05 on the 06.27.19 Regular Session Board Meeting Recording.  
<https://sjusd.app.box.com/v/boardmeetingaudio>

### **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 2018-19-027.

The Board discussed and authorized moving forward with personnel items by a vote of 5:0 with an amendment to Assistant Principal, High School, that was amended from 5.0 FTE to 3.0 FTE.

Yes Teresa Castellanos

Yes Carla Collins

Yes José Magaña

Yes Kimberly Meek

Yes Brian Wheatley

The Board held a conference with legal counsel on anticipated litigation. The Board also held a conference with legal counsel on existing litigation case number 2019030803. The Board held a conference with labor negotiators and the Board discussed the Superintendent's evaluation.

The closed session report is located at 3:56:06 - 3:56:44 on the 06.27.19 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

### **P. Adjourn**

Minutes: Board President Kimberly Meek adjourned the meeting at 10:06 PM.

### **P.1. Next Board Meeting - August 8, 2019**

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## ***Amendment to Item M.9***

**June 27, 2019 San José Unified School District Board of Education**  
**Hourly Rates for Legal Services Contracts included in Item M.9**

<b><i>Firm</i></b>	<b><i>Classification</i></b>	<b><i>Hourly Rate</i></b>
<b>Ning Gan</b>	Partner / Shareholders / Senior Counsel / Of Counsel	\$400
	Associate	\$200
	Paralegal / Law Clerk	\$150
	Consultant	\$200
<b>Lozano Smith</b>	Partner / Shareholders / Senior Counsel / Of Counsel	\$275 - \$300
	Associate	\$215 - \$275
	Paralegal / Law Clerk	\$135 - \$155
	Consultant	\$135 - \$195
<b>Orbach, Huff, Suarez and Henderson</b>	Partner / Shareholders / Senior Counsel / Of Counsel	\$275
	Associate	\$240 - \$260
	Paralegal / Law Clerk	\$135
	Consultant	TBD
<b>Burke, Williams &amp; Sorensen</b>	Partner / Shareholders / Senior Counsel / Of Counsel	\$275
	Associate	\$235
	Paralegal / Law Clerk	\$150
	Consultant	TBD
<b>McArthur and Levin</b>	Partner / Shareholders / Senior Counsel / Of Counsel	\$225
	Associate	\$200
	Paralegal / Law Clerk	\$145
	Consultant	TBD
<b>Dannis Woliver Kelly</b>	Partner / Shareholders / Of Counsel (Gregory Dannis)	\$ 265 - \$360 (\$380)
	Associate	\$ 195 - \$ 260
	Paralegal / Law Clerk	\$ 130 - \$ 180
	Special Counsel	\$ 245 - \$ 295