



Board of Education
Minutes of Regular Board Meeting
March 22, 2016
(ADOPTED: 04/05/16)

- Open Session*
1. **CALL MEETING TO ORDER**
Board President Gunawan Alisantosa called the meeting to order at 6:00 p.m.
 2. **ROLL CALL**
Present were Board President Gunawan Alisantosa, Board Vice-President Robert Nuñez, Board Clerk Dan Bobay, Board members Danny Lau (late) and Chris Norwood and Student Board Representative Alan Pham.

Also present were Superintendent Cary Matsuoka, Deputy Superintendent Cheryl Jordan, Assistant Superintendents Matt Duffy and Wendy Zhang and Executive Assistant Charito Cabantac .
 3. **APPROVAL OF THE AGENDA**
Motion: **Approve the agenda for the March 22, 2016 Board meeting, with reordered items**

 M/S **Nuñez/Bobay** **Vote: 4-0** (Mr. Lau not present for the vote)
 4. **COMMENTS FROM THE PUBLIC**
None.
 5. **Closed Session**
ADJOURN MEETING TO CLOSED SESSION
The Board moved to closed session at 6:02 p.m. to discuss/take action on the items listed on the closed session agenda.
 6. **Open Session**
FLAG SALUTE
The Board reconvened in open session at 7:00 p.m. Mr. Alisantosa led the Flag Salute.
 7. **REPORT OF ACTION(S) TAKEN IN CLOSED SESSION.**

No action was taken by the Board.
 8. **COMMENTS FROM THE PUBLIC**
Spangler teachers Marylynne Valencia, Lesly Yamatake, Oona Cadorin, Jacky Wilhelmsen and Patti Nijjar and parents Shalin Datta and Sarah Zodiacal spoke in support of keeping Spangler principal Catherine Waslif at Spangler Elementary School. Milpitas Teachers Association president Diana Orlando expressed her disappointment with a Board

member for calling one of her teachers a liar in social media. She said that in MUSD, people problem solve; they do not attack each other.

9. BOARD GROUP AGREEMENTS

The Board Group Agreements was on the agenda for easy reference for members of the Board.

10. SUPERINTENDENT'S REPORT

The Superintendent shared that MHS employee Michael Fullbright will be honored at the Project Cornerstone Asset Breakfast on March 24, 2016. He is one of only six people to be recognized at this event from Silicon Valley.

11. REPORTS

A. REPORT ON CHILD DEVELOPMENT CENTERS

Caitlin Frazier, Coordinator of the district CDCs, shared a video of the current work of the Early Childhood Education program through the Child Development Centers. This year the centers have taken many steps towards providing a richer experience for children. Ms. Frazier and her team are excited about taking further steps towards high quality early childhood education in the coming school year. Towards this effort, they have teamed up with the Santa Clara County Office of Education to take a deeper look at the district's program using the quality reading program and improvement system. Ms. Frazier said this will give her and her staff at the CDC an opportunity to be reflective and strategic about their strengths and areas for growth. Participating will also give them the chance to secure funding.

B. LCAP PREVIEW

Assistant Superintendent Matt Duffy previewed the LCAP process for the Spring and highlighted the District priorities going forward.

With regards to identifying Common Core as a priority area, Mr. Duffy said staff have yet to identify the key essential practices that they want to see in our classrooms and schools that will ensure our students develop the ability to master the CCSS. They are looking into transformative practices that will make a difference for the students. He pointed out that next year, as a result of multiple engagements with stakeholders, they will be calling out a set of essential practices for teachers, site leaders and district administrators.

Regarding Personalization, schools are being encouraged to rethink the traditional model of education and to build on blended learning-finding ways to break up the traditional classroom into smaller units with students' personal learning needs as the driving force.

In the coming months of April and May, staff will present to the Board key priorities and action items in the LCAP. On April 26 – LCAP first draft overview; on May 24th – LCAP draft 2 and June 14 – LCAP’s final approval.

Board member Lau asked to see data in future meetings that would show progress in the work that is being done.

12. ACTION/DISCUSSION ITEMS

A. COMMUNITY SERVICE BOARD POLICY DIRECTION

Board member Bobay submitted a proposed alternate version of BP 6142.4 *Service Learning/Community Service* and asked that the Board consider his proposed changes to the BP.

Mr. Alisantosa reminded his colleagues that at the last Board meeting, they agreed to involve stakeholders at MHS in the process of addressing this issue through the formation of a committee and to bring that committee’s recommendation to the Board before it takes further consideration. He felt that by bringing this item on the agenda and asking the Board to take action now to revise the BP is inconsistent with what the Board members agreed on. Mr. Alisantosa wanted to wait for the committee’s recommendation before proceeding.

Mr. Bobay said he requested this item to be placed on tonight’s agenda to offset the fact that the committee that would “band aid” the community service issue has still not yet been formed. He added that he is distressed by the Superintendent’s behavior of allowing staff to present numerous misrepresentations and imaginary situations and added confusion by the insulting comments made by the Board President to eleven community members who spoke at the last meeting. Mr. Bobay said that this issue could have been easily resolved by leadership that is active and participative with the community that it serves; instead, the Board is mired in political posturing, as the Superintendent continues to divide the Board over issues like this while doing nothing. Mr. Bobay felt that by taking action on this item tonight and by being specific in policy, the Board will provide guidance to staff at MHS, correct multiple unknowns about what the Board actually expects, and limit creativity of staff to modify student related activities. The Board should be aware of the difference between community services and service learning. Mr. Bobay said that in this suggested revision, he did not address the issue of risk to students going out in the community to earn the hours they need to graduate. He asked his colleagues to take the first step and discuss these improvements and ultimately approve the changes that he has suggested.

Mr. Alisantosa said he did not think he did anything disrespectful by his comments. He explained that his point was to be clear to the public and staff that the Board did not need to intervene on what is a site issue. He stated that the Board had a fair and clear discussion, and they came to an agreement that this has to be brought back to MHS and the community for resolution.

Board member Lau reminded his colleagues that they are here not to place blame or be defensive but to solve problems and set policy.

Board member Nuñez said that he now sees a clear distinction between community service and service learning that he did not see at the last meeting. He commented that language 1-6 in the proposed revised BP might be included in the AR, but the Superintendent said there is currently no AR to this BP.

Superintendent Matsuoka said that formation of the committee to review this issue is in motion, and the meeting at MHS is will be on April 6, the day after the April 5 Board meeting.

Board member Bobay said that all of the suggested contents of the BP was reviewed with Mr. Ribovitch, Ms. Roche's predecessor.

Board member Alisantosa clarified that at the last Board meeting, he gave direction to staff to solve the problem internally at the high school and that no student at MHS should be shortchanged and should not be blocked from graduation because of the change in the community service policy requirement instituted by MHS this school year.

change wanted to be clear that the 20 hrs. of community service and the concern that some students may not meet that requirement for graduation and the Maroon cord issues have been resolved at the last meeting.

Regarding approval of Board policies Deputy Superintendent Cheryl Jordan clarified that the protocol for approval of BPs, if new or undergoing total revision, is two readings (the second reading is for adoption) and if it is an existing policy undergoing some revisions, it is one reading.

Mr. Nuñez wondered if the committee at MHS can meet earlier so that the Board can have their report in time for its April 5 meeting. He said he would like to spend more time on the service learning portion of the proposed new BP.

Motion: Accept this as the first reading of the revised BP 6142.4 and return it for second reading at a future meeting of the Board, along with feedback from the MHS committee looking into the community service issue.

Superintendent Matsuoka said that care should be taken so that AR language is not imbedded in the Board policy.

Parent and community member Aude Jensen said she is glad to see discussion on this take place after seven months from her initial request. She reminded the Board that with about 2 months before graduation, there are still some seniors who have not yet completed their hours for graduation.

B. CITIZENS' BOND OVERSIGHT COMMITTEE'S ANNUAL REPORT

In accordance with the accountability requirements of the Local School Construction Bonds Act, an independent Citizens Bond Oversight Committee was formed. The committee ensures that the bond funds are expended only for the purposes set forth in the Measure E. Committee Chair Nancy Mendizabal presented the committee's annual report to the Board and explained how the report was prepared. A list of projects that had been completed and summer projects were shared with the Board.

Board members thanked Mrs. Mendizabal and others on the committee for their work in making sure that the taxpayers' money is being spent on the purpose for which it is intended.

Motion: Accept the Citizens' Bond Oversight Committee's Annual Report

M/S

Lau/Nuñez

Vote: 5-0

C. ADDITION OF TWO (2) ELEMENTARY ASSISTANT PRINCIPALS

The District's five Title I schools each have a full time principal, which allows for continuity in leadership, stronger support for safety and family engagement, and more time for principals to focus on instruction. Our four largest schools, Curtner (724 students), Sinnott (775), Pomeroy (754), and Zanker (674) each share a split assistant principal (AP). The two APs at these four schools do not have the same connection to students, staff, and parents as those who are at their sites every day because they don't have the time to know them all by name and to understand their needs. The split APs focus their support on logistical needs such as testing administration, safety plans, and yard supervision. Their limited time at each site also hinders their growth as

instructional leaders, which means the District is not providing the best environment to develop its next generation of school principals. Given the solid outcome of the second interim budget report, staff recommend the addition of two APs so that each of our largest elementary schools will have a full time assistant principal.

Trisha Lee addressed the Board and talked about the importance of having full time assistant principals at schools and asked the Board to vote to approve the addition of the two AP positions.

Mr. Nuñez said that he expressed disapproval with going forward with the positions that were listed as part of the second interim report (which included the 2 APs). He and Mr. Norwood asked how these positions tie into the overall direction of the district in the LCAP plan. Mr. Duffy said they can return in two weeks to the Board and try to “connect the dots” a little better. He noted that staff is in a difficult situation of imbedding everything in the LCAP, which takes a long time, and getting positions staffed now.

Mr. Nuñez said he would like to see rationale and tie it to the LCAP Plan that Mr. Duffy said he can have ready in two weeks before he can consider this position and others on the list.

Mr. Lau recalled seeing these 2 AP positions in the projections in the 2nd Interim Report and he and Mr. Alisantosa appreciated the urgency in some of those positions because of the time required for hiring good candidates before the start of the new school year. Cheryl Jordan stated that the closer we get to June, the fewer quality candidates remain out there.

Motion: Approve the addition of two (2) elementary assistant principals

M/S

Lau/Norwood

Vote: 3-2 (Messrs. Nuñez and Bobay voted no)

D. PROPOSAL FROM IBI GROUP FOR A MODIFIED MASTER DESIGN PLAN FOR THE NEW SCHOOL ON McCANDLESS DRIVE

In preparation for developing the new Elementary School on McCandless, staff presented to the Board recommendations for a change in scope, design and construction delivery method. Staff's goal is to use as much of the existing design work and modify the scope to fit into our budget.

Following are the key strategies that were recommend by staff to the Board to consider:

- Use of modular construction
- Keep as much of the original site work design as possible

- Keep the best features of the current design
- Plan the construction into multiple phases, based on enrollment growth and available funds
- Use traditional Design Bid Build (CM Multi-Prime) model as the construction delivery method

Here is what staff plan to accomplish under the Phase One construction:

- Open school in August 2018
- Build one administration building
- Build a two story classroom building with eight classrooms
- Build all underground utilities for future phases

Staff explained that the use of modular construction is ideal for the new elementary school. Modular construction saves money, shortens the construction schedule, but has less design flexibility. Staff would like to work with an experienced architect firm to help them manage the project.

Staff recommended obtaining a proposal from IBI Group for the following main reasons:

- Extensive experience in modular construction
- Is listed in the board approved Architect pool for 2012 Measure E projects
- High quality of work in our current bond projects:
- Curtner and Randall portables
- Pomeroy, Curtner and Zanker modernizations
- Pomeroy Multi-purpose room
 - Ability to complete redesign quickly and produce quality construction documents

Staff would like to obtain a proposal from IBI Group to provide a modified master plan based on the current design from Gould Evans, which will include:

- Update the current site plan
- Rework the current floor plans for modular construction
- Use plans to engage modular companies for input
- Provide scope and timelines for future phases
- Preliminary construction cost estimates for above scope

After that, staff will work with IBI Group to come up with an agreement for the full design contract, which will include the following:

- Complete detailed site plans (Ready for future phases of school)
- Building design
- DSA approval

- Site work package
- Buildings
- Bidding Documentations
 - Site work package for Phase one
 - Buildings for future Phases
- Construction Supervision

Staff answered Board members' questions after their presentation.

Motion: Authorize staff to obtain a proposal from IBI Group for a modified master design plan for the new school on McCandless Drive

M/S Nuñez/Norwood Vote: 5-0

E. LEVEL I DEVELOPER FEES

Level I Developer Fees are adjusted for inflation by the State Allocation Board (SAB) every two years. On February 24, 2016, SAB adjusted the fee from \$3.36 to \$3.48 for residential and from \$.54 to \$.56 for commercial. The District is justified in collecting the new fees based on the Developer Fee Justification Study dated on February 25, 2016.

The District adopted level II fees which took effect November 25, 2015. Level I fees need to be adopted in order for the District to collect commercial fees. This adoption will also cover us in the event we do not requalify for the level II fees, which is done annually. Adopting this resolution does not override the level II fee adoption.

As required by law, a public hearing was held.

Motion: Open the public hearing
M/S Nuñez/Norwood Vote: 5-0

There were no speakers.

Motion: Close the public hearing
M/S Nuñez/Bobay Vote: 5-0

Motion: Adopt Resolution 2016.26
M/S Nuñez/Norwood Vote: 5-0

F. APRIL 4-8, 2016 – ADULT EDUCATION WEEK

Adult Education is a vital community resource, providing training in English as a Second Language, high school diplomas, High School Equivalency preparation, classes for

parents, vocational training and a wide variety of personal enrichment classes that add to the cultural and civic pride of Milpitas.

In recognition of these outstanding contributions to the community by the Milpitas Adult Education Program and Adult Education across the State, it was recommended that the Board of Education adopt Resolution 2016.25 declaring the week of April 4-8, 2016 as *Adult Education Week* in the Milpitas Unified School District.

Motion: **Adopt Resolution 2016.25 declaring the week of April 4-8, 2016 as Adult Education Week in the Milpitas Unified School District**
M/S **Bobay/Nuñez** **Vote: 5-0**

13. CONSENT AGENDA

Motion: **Adopt the Consent Calendar with the exception of Items 13.2 (Personnel Report) and 13.4 (Addition of 2 Elem. Asst. Principals) thereby approving the following items:**
M/S: **Nuñez/Bobay** **Vote: 5-0**

1. Adopt the regular Board minutes of March 8, 2016
2. **ITEM PULLED FOR DISCUSSION (SEE ITEM 14)** March 22, 2016 Personnel Report
3. Approve the District's Purchase Order Report for the period March 1 to March 14, 2016.
4. **ITEM PULLED AND MOVED TO ACTION ITEMS** - Approve the addition of two (2) Elementary Assistant Principal.
5. Approve the Memorandum of Understanding with Santa Clara County Office of Education for community school services in 2016-17.
6. Approve Change Order #6 – D.L. Falk, General Contractor for Milpitas High School Modernization .
7. Approve the Notice of Completion by General Contractor, DL Falk Construction, Inc. of Bid Pack #1 & #2 re Milpitas High School modernization work.
8. Approve the Notice of Completion of mechanical contractor Bangar Contractors Corporation's work on Milpitas High School's modernization project .
9. Accept the County of Santa Clara Treasury Investment Report and PARS Account Statements for the second quarter of 2015-16.

10. Approve the first amendment to the contract/school service agreement with FIRST 5 Santa Clara County for Hydration Station at Russell Middle School.

11. Approve the 5-year copier lease and maintenance agreement with Sharp Business Systems.

12. Declare the items listed on the attached report as obsolete.

13. Accept the \$9,900 donation of Maxim Moiseev to Milpitas High School's Engineering and Technology Academy

14. Approve the following field trip requests:

Russell Middle School - 12 students to visit the GLBT History Museum in San Francisco on May 2, 2016, returning on the same day.

Rancho Middle School - 160 students to visit Alcatraz Island in San Francisco on May 19, 2016, returning on the same day.

Zanker Elementary School - 6 students to visit the Monterey Bay Aquarium on April 30, 2016, returning on May 1, 2016. Teacher Sherrie Stankie will drive the students.

Milpitas High School - 65 AVID students to go on a college tour of San Francisco State University on April 4, 2016, returning on the same day.

Milpitas High School - 7 DECA students to fly to Nashville, Tennessee to visit Gaylord Opryland Resort on April 23, 2016, returning on April 26, 2016.

Milpitas High School - 50 students belonging to the Chinese Club to visit the Asian Art Museum in San Francisco on March 29, 2016, returning on the same day.

Milpitas High School - 4 ASB students to attend a leadership conference in San Ramon, CA on May 15, 2016, returning on May 16, 2016. Adviser Diana Butcher will drive the students.

Milpitas High School - 23 NJROTC students to visit the USCG Station in Yerba Buena Isl., CA on April 21, 2016, returning on the same day for USCG career orientation.

Milpitas High School - 20 NJROTC students to visit the Naval Air Station in Lemoore, CA for career orientation on May 11, 2016, returning on May 12, 2016.

14. PERSONNEL REPORT

Re short term additional help, Mr. Nuñez wondered if some type of a report can be generated on how many of them the district actually hires throughout the year, what they

do and how much they are paid so that they can easily be tracked.

Motion: Adopt the Personnel Report of March 22, 2016

M/S Nuñez/Bobay Vote: 5-0

15. BOARD COMMUNICATIONS/REQUESTS

Student Board member Alan Pham thanked the Board for its support of the Science Fair, which went really well. The Trojan Olympics will be this Friday at 6:30 p.m., Spirit Week is this week leading up to the event.

Board member Norwood reported attending a MHS student meeting to get feedback from the student community about how they felt about the community and what they needed to feel a part of the it. Last night he was at the Latino Awards Night, which was very well attended.

Board member Lau reported attending the Science Fair at MHS, the District concerts last week, the Elmwood adult graduation last week where inmates received their GED.

Board member Bobay reported attending two meetings at MetroEd and the Superintendents meeting at the request of the MetroEd Board. He reported that the 6 districts have come to terms over equalization funding formula which is fair and equitable to all 6 districts; however it does leave MetroEd with somewhat of a loss and reduction in funding. He also attended the Council of PTAs meeting and Randall's PTA meeting where they discussed search for a muralist and attended the district's music festival and the MHS Science Fair.

Board member Nuñez passed down an invitation from the Lion's Group for April 24th, Celebrating Differences Day at the Milpitas Community Center. Last Friday, he reported attending a CSBA School Finance Workshop the highlight of which was having the opportunity to meet Superintendents and School Board members throughout California and compare experiences on their boards and frustrations in sometimes forcing them to hold heated discussions with their fellow board members in open because of the Brown Act.

Board president Alisantosa reported attending the Science Fair at MHS and showed the Board's certificate of recognition for its support. He also attended the district's music festival, the Adult Education graduation at Elmwood, and the Board President's Workshop at CSBA. He brought some material and shared them with his colleagues. He asked them to please take the time to read the material, as he believes that it will make all of them better board members.

16. DATES OF FUTURE BOARD MEETINGS/ADJOURNMENT

After reading the dates of future meetings, Board member Alisantosa adjourned the meeting at 9:25 p.m.

Respectfully submitted,

Attested:



Cary Matsuoka
Superintendent and Board Secretary



Clerk of the Board

Minutes prepared by Charito Cabantac
