

San Jose USD Agenda

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12-08-11 Regular Session Board Meeting

December 08, 2011

Thursday, 06:25 PM

Board Room

855 Lenzen Avenue

(District Administration Building)

All meetings of the Governing Board are open to the general public with the exception of Closed Sessions, which are held to consider those items specifically exempt under the Ralph M. Brown Act. Anyone planning to attend a meeting who has a disability and needs special assistance should call the Superintendent's Office, 535-6069, at least three (3) days in advance to make special arrangements.

Spanish translation is available at Regular Session Board Meetings. To arrange for translation services, please call the Superintendent's Office, 535-6069, at least three (3) days in advance. [Se ofrece traduccion en Espanol para la junta regular de la mesa directiva. Para solicitar servicios de traduccion al Espanol, por favor llame a la Oficina del Superintendente, al 535-6069, con tres (3) dias de anticipacion por lo menos.]

Mr. Richard Garcia, President

Mr. Jorge Gonzalez, Vice President

Mrs. Pamela Foley, Member

Mrs. Veronica Grijalva Lewis, Member

Mrs. Leslie B. Reynolds, Member

Dr. Vincent C. Matthews, Superintendent of Schools

Mr. Oscar Vazquez-Melo, Student Board Member [Lincoln High School]

Mr. Steven Moran, Alternate Student Board Member [Willow Glen High School]

The Regular Session Meeting of the Board of Education will be called to order at 5:00 p.m. The Board President will immediately adjourn the Regular Session Meeting to a Closed Session to consider those items that are specifically exempt under the provisions of the Ralph M. Brown Act. Closed Sessions are not open to the general public.

The Closed Session will adjourn at 6:00 p.m. The Regular Session Meeting will be reconvened at 6:00 p.m. beginning with the Annual Organizational Meeting in the Board Room at 855 Lenzen Avenue, San Jose, California. The Superintendent will report all actions taken by the Board of Education in Closed Session prior to the conclusion of the Regular Session Meeting [Pursuant to Government Code 54957.1].

Current Board of Education information can be found on our district [Web site](#).

CLOSED SESSION AGENDA - 5:00 PM

1. Student Discipline - Student Expulsion Hearings [Pursuant to Education Codes 35146 and 48981] (D)

RECOMMENDATION: That the Board of Education hold a hearing on the attached Student Expulsion Cases to consider the recommendation of the Administrative Hearing Panel to expel the students referenced in these expulsion cases:

- Student Expulsion Case Number 2011-12-025
- Student Expulsion Case Number 2011-12-026
- Student Expulsion Case Number 2011-12-027
- Student Expulsion Case Number 2011-12-028
- Student Expulsion Case Number 2011-12-029
- Student Expulsion Case Number 2011-12-030
- Student Expulsion Case Number 2011-12-033
- Student Expulsion Case Number 2011-12-034

2. Personnel [Pursuant To Government Codes 54954.5 and 54957.1] (D)

RECOMMENDATION: That the Board of Education approve the following Personnel Items:

A. Public Employee Appointment

- Assistant Principal, Middle School, .50 FTE
- Director, Finance
- Manager, Maintenance

B. Release/Termination/Reassignment/Dismissal

C. Layoffs/Leaves of Absence/Resignation

D. Public Employee Contracts

3. Conference with Legal Counsel - Potential Litigation including claims [Pursuant to Government Code 54956.99(b)] (D)

RECOMMENDATION: That the Board of Education consider and approve the recommendation of legal counsel.

Anticipated Litigation

4. Conference with Labor Negotiator [Pursuant to Government Code 3549.1] (D)

- Provide Direction - CSEA negotiations
- SJTA Negotiations

REGULAR SESSION AGENDA

I. Call Meeting to Order

II. Pledge of Allegiance

III. Adopt the Agenda

1. Adopt the Agenda (D) (V)

IV. Special Order of Business

1. Demographics - Census 2010 Geographical Study (D)

Lapkoff & Gobalet Demographic Research, Inc.
Presenter: Jeanne Gobalet, Ph.D.

V. Announcements and Reports

1. Announcements and Reports by Board Members, Student Board Member and Superintendent (D)

Board members may report on visits to schools, conferences and meetings attended and items of interest to the public.

VI. Oral Petitions

1. Persons wishing to address the Board of Education must fill out a Citizen's Request to Speak Card and bring it to the Board Secretary. (D)

This portion of the Agenda provides an opportunity for members of the public to directly address the Board on any item of interest to the public; however, provisions of the Brown Act [Government Code 54954.2(a) and .3] preclude any action being taken on any item not appearing on the posted agenda for action. A REQUEST TO SPEAK CARD must be completed and given to the Board Secretary. Time limits are two minutes at the discretion of the Board President.

2. Oral Petitions from SJUSD Bargaining Group Presidents (D)

Each SJUSD bargaining group president is given five minutes to address the Board of Education. A REQUEST TO SPEAK CARD must be completed and given to the Board Secretary.

VII. Minutes

1. Approval of the minutes of the Regular Session Meeting held November 17, 2011.

(D) (V)

VIII. CONSENT CALENDAR - Items VIII.A.1 - VIII.F.1.12

1. Consent Calendar Items VIII.A.1 through VIII.F.1.12 (V) (C)

All Agenda items listed under the Consent Calendar will be enacted in one motion. There will be no discussion of these items prior to consideration of the motion, unless a member of the Board of Education or the Superintendent request that an item be removed from the Consent Calendar.

A. Superintendent & Human Resources - Consent

1. Administrative, Elementary/Secondary Certificated Personnel Actions and Personnel Services (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Administrative and Certificated Personnel Actions as specified.

2. Classified Human Resources Personnel Actions (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Classified Human Resources actions as specified.

3. Non-Regular Hourly Employment Agreements for \$25,000 or less (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Non-Regular Hourly Employment Agreements for \$25,000 or less as specified.

4. Short-term Limited Services Agreements (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Short-term Limited Services Agreements for \$25,000 or less as specified.

B. Board of Education - Consent

C. Division of Instruction - Consent

1. Approval of Field Trips (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the field trips for elementary and secondary students as specified.

2. Single Plans for Student Achievement (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Single Plans for Student Achievement (SPSA) during the 2011-12 school year.

3. Amendment to YMCA Camp Campbell Outdoor Science School (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education amend the action taken on May 19, 2011 to include Bachrodt as one of twenty-two (22) elementary school sites that will be attending Camp Campbell, at the Boulder Creek Camp facility.

Budget Source: Site Budgets [Funds 031 and 061]

4. Master Contract with Timothy Murphy School [NPS] (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve a Master Contract with Timothy Murphy School in an amount not to exceed \$28,720 for educational services provided to a special education student during the 2011-12 school year.

Budget Source: Special Education [Fund 062]

5. Independent Contractor Agreement with TutorWorks, Inc. (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve an Independent Contractor Agreement with TutorWorks, Inc. in an amount of \$150,000 to provide NCLB required supplemental educational services at Canoas, Empire Gardens, Horace Mann, Olinder, River Glen, Washington, and Willow Glen Elementary Schools, and Gardner and Grant Academies, during the 2011-12 school year.

Budget Source: Title I [Fund 061]

D. Community Engagement & Accountability - Consent

1. Non-Regular Hourly Employment Agreements with San Jose Police Officers (ACTION)

(V) (C)

RECOMMENDATION: That the Board of Education approve the Non-Regular Hourly Employment Agreements with Police Officers to provide campus security during the 2011-12 school year.

Budget Source: Unrestricted General [Fund 031] and TIIG [Fund 061]

E. Administrative Services - Consent

1. Claim of Patricia Richartz (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education deny the claim of Patricia Richartz.

Budget Source: Liability [Fund 031]

F. Independent Contractor Agreement - Consent

1. Independent Contractor Agreements \$25,000 or less (Items VIII.F.1 - VIII.F.1.12) (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Independent Contractor Agreements in the amount of \$25,000 or less as specified.

END OF CONSENT CALENDAR

IX. ACTION ITEMS & REPORTS

A. Superintendent - Action Items

1. Update on Strategic Plan (D)

2. Update on the Gates Charter Compact Initiative (D)

3. Memorandum of Understanding (MOU) Agreement with San Jose Teachers Association (SJTA) to address SDC class over enrollment (ACTION) (D) (V)

RECOMMENDATION: That the Board of Education approve a Memorandum of Understanding (MOU) between the District and the San Jose Teachers Association (SJTA) regarding a mutually agreeable solution to SDC class over enrollment.

Budget Source: Special Education [Fund 062]

B. Board of Education - Action Items

C. Division of Instruction - Action Items

1. Report by Mr. Chris D. Funk, Assistant Superintendent, Division of Instruction

2. Status Report on Transitional Kindergarten (TK) (D)

Presented by Jodi Lax, Manager, Curriculum and Instruction, Pre K-5 and EL Services

D. Community Engagement & Accountability - Action Items

1. Report by Mr. Jason Willis, Assistant Superintendent, Community Engagement and Accountability

E. Administrative Services - Action Items

1. Report by Ms. Ann Jones, Chief Business Officer, Administrative Services

2. Status Report on Technology System Upgrade (D)

Presented by Derek Moore, Director, Technology Services

3. Presentation: First Interim Report for 2011-12 (D)

4. Positive Certification/First Interim Report 2011-12 (ACTION) (D) (V)

RECOMMENDATION: That the Board of Education accept the First Interim Report based on the period ending October 31, 2011, and determine to file a positive certification with the Santa Clara County Superintendent of Schools.

5. Use of amplified sound in the swim complex at Gunderson High School (ACTION)

(D) (V)

RECOMMENDATION: That the Board of Education approve the request by San Jose Aquatics (formerly known as Silicon Valley Aquatics) to use amplified sound at Gunderson High School during the 2011-12 school year

6. Use of amplified sound at Gunderson High School (ACTION) (D) (V)

RECOMMENDATION: That the Board of Education approve the request by the Special Olympics of Northern California to use amplified sound at Gunderson High School during their Spring Games on Saturday, May 12, 2012

F. Facilities and Construction - No Consent Items

END OF FACILITIES & CONSTRUCTION CONSENT CALENDAR

G. Facilities & Construction - Action Items

1. Ratification of Construction Related Contracts and Items (ACTION) (D) (V)

RECOMMENDATION: That the Board of Education ratify District staff's approval of Contracts, Change Orders, and Amendments referenced in the attached list.

Budget Source: See Attached Ratification List

X. Student Discipline

1. Student Expulsion Case 2011-12-025 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

2. Student Expulsion Case 2011-12-026 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

3. Student Expulsion Case 2011-12-027 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

4. Student Expulsion Case 2011-12-028 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

5. Student Expulsion Case 2011-12-029 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

6. Student Expulsion Case 2011-12-030 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

7. Student Expulsion Case 2011-12-033 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

8. Student Expulsion Case 2011-12-034 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

XI. Action Taken in Closed Session

XII. Adjournment

1. Adjourn the Meeting (D) (V)