



UNION SCHOOL DISTRICT

Board of Trustees Minutes – Regular Meeting

Date: October 9, 2017

Place: District Administration Building
5175 Union Avenue
San Jose, California 95124

Time: 6:00 P.M.

Board Present: Sheila Billings, President
Jennifer Petroff, Clerk
Vickie Brown
Doug Evans
Thomas E. Rossmeissl

Staff Present: Denise Clay, Superintendent
Steve Burrell, Director
Andrew Schwab, Assoc. Superintendent
Rita Sohal, Assistant Superintendent

1. CALL TO ORDER / FLAG SALUTE / CARLTON SCHOOL PRESENTATION

Board President Sheila Billings called the meeting to order at 6:00 p.m. The flag salute was led by Carlton student Layla. Third and fifth grade Carlton students, under the direction of their teacher, Kristy Chia, presented a community involved engineering and design project. Students thought about service learning opportunities, current events and collaborated in teams on a STEAM project to build model home prototypes that could withstand a hurricane. They learned the importance of the engineering and architecture fields, which helped them begin thinking about their future careers.

6:00 - 6:16
Call to order/
flag salute/
Carlton
Student
Presentation

2. BOARD RECOGNITION

June Gwartney, former Union School District teacher, was recognized posthumously for her dedication and support to Union School District, having served for 56 years. Her former supervisor, Karen Miller and the CELDT team, including Karen Lund and Linda Lucitt honored her as a friend, colleague and mentor.

6:16 – 6:32
Board
Recognition
June Gwartney

Recess

6:32 – 6:35
Recess

3. APPROVAL OF AGENDA AND MINUTES

Board of Trustee Vickie Brown motioned to approve the agenda and the minutes, and the motion was seconded by Board of Trustee member Jennifer Petroff. The agenda and minutes were approved as follows:

6:35 – 6:36
Approved
Board agenda

3.1 The agenda was approved.

3.2 The minutes of the regular meeting of September 11, 2017 were approved.

Ayes: Billings, Brown, Evans, Petroff, Rossmeissl
Noes: None
Absent: None
Abstentions: None

4. COMMUNITY COMMENTS /COMMUNICATIONS

6:36 – 7:04
Community
Comments

Thirteen parents from Union School District and other neighboring districts addressed the Board of Trustees about the next world history textbook adoption. The parents asked the school board to reject publishers Houghton Mifflin Harcourt, McGraw Hill and National Geographic, but said they would be in favor of TCI or Pearson publishers for our next world history textbook adoption. One parent addressed the Board of Trustees regarding the Dartmouth music teacher and would like the Board of Trustees to offer an open door policy for counseling services.

5. REPORTS FROM THE BOARD AND SUPERINTENDENT

7:04 – 7:08
Reports from
Board and
Superintendent

Superintendent Denise Clay reported that we were informed on Friday night by the San Jose Police Department of the arrest of our band director, Sam Neipp, for misconduct. Superintendent Denise Clay said this is an open police investigation and it is a personnel matter and stated the safety and well-being of our students and staff is of utmost importance and we take the act of misconduct very seriously. Superintendent Denise Clay said, "Today all site administrators were at Dartmouth Middle School, as well as two Board of Trustee members to offer support. There is additional counseling available. We are currently working with the police department to conduct a community forum to address the safety, social and emotional well-being of our students."

6. APPROVAL OF CONSENT ITEMS

7:08 – 7:10
Approved
Consent
Items

Board of Trustee Thomas Rossmeissl moved for approval of the consent items. Board of Trustee member Doug Evans seconded the motion. The Board of Trustees approved the consent items by the following roll call vote:

Ayes:	Billings, Brown, Evans, Petroff, Rossmeissl
Noes:	None
Absent:	None
Abstentions:	None

- 6.1 The Board of Trustees approved the personnel report.
- 6.2 The Board of Trustees approved the warrant list.
- 6.3 The Board of Trustees approved the budget transfers and revisions.
- 6.4 The Board of Trustees approved the declaration of surplus property for private sale or discard.
- 6.5 The Board of Trustees approved the annual report of developer fees.
- 6.6 The Board of Trustees approved and ratified the change orders.
- 6.7 The Board of Trustees approved and ratified professional services fees for the Bond program.
- 6.8 The Board of Trustees approved and ratified change orders for the bond program.
- 6.9 The Board of Trustees approved the SELPA III Community Advisory Committee representative.

Following the approval of the consent items, Superintendent Denise Clay announced that Mary Katayama was selected as the new principal at Carlton Elementary School.

7. ACTION ITEMS

- | | | |
|-----|--|--|
| 7.1 | Associate Superintendent Andrew Schwab presented information regarding the requirements of Education Code 60119, to hold a public hearing determining the sufficiency of textbooks and instructional materials. Public comments were invited. The public hearing opened at 7:12 p.m. and there were no comments. The public hearing was closed at 7:13 p.m. | 7:10 – 7:13
Public Hearing
on the
Sufficiency of
Textbooks and
Instructional
Materials |
| | <p>Ayes: Billings, Brown, Evans, Petroff, Rossmeissl
 Noes: None
 Absent: None
 Abstentions: None</p> | |
| 7.2 | Andrew Schwab, Associate Superintendent, presented Resolution <u>No.17-18-05</u> Certification of Sufficiency of Textbooks and Instructional Materials for board approval. Board of Trustee Vickie Brown moved for approval of the resolution, seconded by Board of Trustee Thomas Rossmeissl. The board approved Resolution <u>No.17-18-05</u> by the following roll call vote: | 7:13 – 7:14
Approved
Resolution
17-18-05
Sufficiency of
Textbooks and
Instructional
Materials |
| | <p>Ayes: Billings, Brown, Evans, Petroff, Rossmeissl
 Noes: None
 Absent: None
 Abstentions: None</p> | |
| 7.3 | Steve Burrell, Director of Human Resources, presented revised Board Policy 1312.3, Uniform Complaint Procedures. Board of Trustee Jennifer Petroff moved for adoption of the board policy, seconded by Board of Trustee Doug Evans, and the Board of Trustees adopted Board Policy 1312.3 by the following vote: | 7:14 – 7:15
Adopted
Revised
BP 1312.3,
Uniform
Complaint
Procedures |
| | <p>Ayes: Billings, Brown, Evans, Petroff, Rossmeissl
 Noes: None
 Absent: None
 Abstentions: None</p> | |
| 7.4 | Director of Human Resources Steve Burrell, presented revised Board Policy 4030, Nondiscrimination in Employment. Board of Trustee Thomas Rossmeissl moved for adoption of BP 4030 and the motion was seconded by Board of Trustee Vickie Brown. The Board of Trustees unanimously adopted revised Board Policy 4030. | 7:15 – 7:16
Adopted
Revised
BP 4030,
Nondiscrimin-
ation in
Employment |
| | <p>Ayes: Billings, Brown, Evans, Petroff, Rossmeissl
 Noes: None
 Absent: None
 Abstentions: None</p> | |
| 7.5 | Steve Burrell, Director of Human Resources, presented revised Board Policy 4117.2, Resignation, for adoption. Board of Trustee member Vickie Brown motioned for approval to adopt BP 4117.2. Board of Trustee Thomas Rossmeissl seconded the motion and the motion was approved by the following vote: | 7:16 – 7:16
Adopted
Revised
BP 4117.2,
Resignation |

Ayes: Billings, Brown, Evans, Petroff, Rossmeissl
 Noes: None
 Absent: None
 Abstentions: None

- 7.6 Director of Human Resources Steve Burrell, presented revised Board Policy 4119.11, Sexual Harassment. Board of Trustee Doug Evans motioned to adopt revised Board Policy 4119.11 and the motion was seconded by Board of Trustee Jennifer Petroff. The Board of Trustees unanimously approved the adoption of revised BP 4119.11.

7:16 – 7:17
 Adopted
 Revised
 BP 4119.11,
 Sexual
 Harassment

Ayes: Billings, Brown, Evans, Petroff, Rossmeissl
 Noes: None
 Absent: None
 Abstentions: None

8. DISCUSSION / INFORMATION ITEMS

- 8.1 The Board of Trustees received information on the Williams Uniform Complaint Quarterly Report. Director of Human Resources, Steve Burrell, noted that no complaints were filed with any school in the district during July 1 through September 30, 2017.

7:17 – 7:18
 Williams
 Uniform
 Complaint
 Quarterly
 Report

- 8.2 Assistant Superintendent Rita Sohal shared background information on Measure J Bond issuances and stated the district did not plan for a technology refresh out of this plan, therefore, staff are reviewing the possibility of a 2018 bond for construction, classrooms, technology and a classroom furniture refresh. Jessica Polsky from EMC Research and Joy Tatarka from TBWB Strategies, presented information about a web and telephone survey conducted of 417 Union School District voters. The voter poll determined that support for a potential \$125 million bond measure would be above the 55% threshold needed to pass, and that a measure appears feasible for the November, 2018 ballot.

7:18 – 7:49
 Bond
 Feasibility
 Survey
 Results

- 8.3 Associate Superintendent Andrew Schwab presented the update of Union's California Assessment of Student Performance and Progress (CAASPP) results. Mr. Schwab reported that overall, our students continue to outperform their peers from Santa Clara County and throughout California on the state assessments in both English Language Arts and Math.

7:49 – 8:21
 California
 Assessment of
 Student
 Performance
 and Progress
 Update

- 8.4 Assistant Superintendent Rita Sohal reported on the County of Santa Clara Treasury Investment status as of June 30, 2017. Ms. Sohal stated all the district's funds and county funds are in a commingled pool. The report showed an unrealized loss of .23%, which has not matured. The county treasurer believes that the commingled pool contains sufficient cash flow from liquid and maturing securities, bank deposits and incoming cash to meet the next six months of expected expenditures. The investment is monitored by an outside auditor, who reviews the financial reports.

8:21 – 8:25
 Investment
 Portfolio
 Status
 Report

<p>8.5 Superintendent Denise Clay stated recently the American Heart Association requested that districts have Automatic External Defibrillators (AED) on sites for emergencies. Linda Haines, Director of Special Education and Student Services invited our district nurse, Kris Suzuki, to speak about AEDs. Ms. Suzuki provided an overview of the AED systems. In conclusion, the Board of Trustees requested that we gather additional information.</p>	<p>8:25 – 8:34 Automatic External Defibrillators (AED)</p>
<p>9. REPORTS OF ASSOCIATIONS</p>	<p>8:37 – 8:38 CSEA Report</p>
<p>9.1 CSEA Vice President, Terri Skipworth, reported that CSEA is in the middle of negotiations that are going well and they will be done soon. Ms. Skipworth said Director Steve Burrell has been very instrumental in their progress and noted this year has been very different and improved.</p>	
<p>9.2 Julie Guglielmo, UDEA President, thanked their executive board members for being present. The UDEA staff was devastated by the news at Dartmouth as it violates trust and people that enter the teaching profession do so to serve and protect. UDEA wants to support the staff and families of Dartmouth. President Guglielmo stated they are in the middle of negotiations and that there is positive progress in the right direction. Ms. Guglielmo gave a shout out to Steve Burrell for his part in the negotiations process.</p>	<p>8:38 – 8:40 UDEA Report</p>
<p>10. REVIEW BOARD AGENDA CALENDAR/FUTURE AGENDA ITEMS</p>	<p>8:40 – 8:41 Reviewed Board agenda calendar</p>
<p>The Board reviewed the Board Agenda Calendar. There were no additions or changes to the calendar.</p>	
<p>11. CLOSED SESSION</p>	<p>8:41 – 10:01 Closed Session</p>
<p>The Board of Trustees, Superintendent Denise Clay, Associate Superintendent Andrew Schwab and Director of Special Education and Student Services Linda Haines met in closed session to discuss a mediated settlement for Case 17.18.B.</p>	
<p>The Board of Trustees met in closed session with Superintendent Denise Clay, Director of Human Resources Steve Burrell, Associate Superintendent Andrew Schwab and Assistant Superintendent Rita Sohal to discuss Union District Classified School Employees Association (CSEA) and Union District Educators Association (UDEA) labor negotiations (Govt. Code § 54957.6).</p>	
<p>The Board of Trustees met in closed session with Superintendent Denise Clay, Director of Human Resources Steve Burrell, Assistant Superintendent Rita Sohal, Associate Superintendent Andrew Schwab regarding Public Employee Discipline/Dismissal/Release/Reassignment (Govt. Code § 54957).</p>	
<p>The Board of Trustees met to discuss:</p>	
<p>Conference with Real property Negotiators Property: APN 421-20-010</p>	
<p>Agency negotiators: Superintendent Denise Clay, Assistant Superintendent Rita Sohal, Associate Superintendent Andrew Schwab, and District Public Property Advisors Lisa Gillmor and Paulo Hernandez.</p>	

Negotiating parties: Union School District and Belmont Village, L.P.

Under negotiation: Price and terms

12. REPORT OF ACTION TAKEN IN CLOSED SESSION

The Board of Trustees approved the mediated settlement for Case 17.18.B unanimously.

10:01 – 10:02
Report of
Action
Taken
in closed
Session

13. ACTION ITEM

13.1 There was no vote on action item #13.1, Approval of Agreement to Enter Into Ground Lease with Belmont Village, L.P.

10:02 – 10:03
No vote on
Approval of
Agreement to
Enter Into
Ground Lease
with Belmont
Village, L.P.

14. ADJOURNMENT

Board of Trustee Jennifer Petroff moved to adjourn the meeting at 10:03 p.m. Board of Trustee Vickie Brown seconded the motion and the Board of Trustees were all in favor to adjourn the meeting. The next regularly scheduled board meeting will be on November 13, 2017.

10:03 p.m.
Meeting
Adjourned

Respectfully submitted,

Denise Clay, Secretary

Approved by Board Action:

Clerk