

OAK GROVE SCHOOL DISTRICT
BOARD OF TRUSTEES

Minutes
Regular Board Meeting
Yvonne Cook Board Room
December 8, 2016

Dennis Hawkins, President of the Board of Trustees, called the meeting to order at 6:37 p.m. CALL TO ORDER

Members present: Dennis Hawkins, Outgoing President
Mary Noel, Incoming President
Carolyn Bauer, Vice President
Jacquelyn Adams
John Mackey

Others present: José L. Manzo, Superintendent
Andrew Garcia, Assistant Superintendent
Maria Wetzel, Assistant Superintendent
Laura Phan, Assistant Superintendent
Interested Community and Staff Members
Rachelle Uribe, Recording Secretary

Oath of Office

Superintendent Manzo administered the Oath of Office to re-elected Board Member Mary Noel and newly elected Board Member John Mackey. He congratulated the Members on their four-year commitment to serve on the Board. Following the Oath of Office, Board Members were congratulated by family members and friends present.

OATH OF OFFICE

Set the Agenda

On motion by Member Bauer and second by Member Noel, the Board of Trustees set the Agenda, with the following vote:

SET THE AGENDA

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

Closed Session

The Board recessed to Closed Session at 6:40 p.m. to discuss Public Employee Performance Evaluation – Superintendent; Public Employee Discipline/Release/Dismissal; to Confer with District labor negotiators, Assistant Superintendent of Human Resources Andrew Garcia, Legal Counsel Adam Fiss and Legal Counsel Janae Novotny regarding Oak Grove Educators Association, California School Employees Association, Chapter 412; and American Federation of State, County and Municipal Employees Union, Council 57, Local 101; and to confer with District legal counsel regarding significant exposure to litigation, one potential case, Tort Claim No. 100616. The Board will also review Student Discipline Case Nos. 16/17-04(S), 16/17-05(S), 16/17-06(S), 15/16-01(S) and 15/16-02(S).

CLOSED SESSION

Open Session

OPEN SESSION

The Board reconvened to Open Session at 7:43 p.m. President Hawkins welcomed those in attendance; and explained the process to be followed in conducting the Board Meeting, including the presentation of information to the Board and the manner in which those present could address the Board during the meeting, either regarding specific agenda items or during "Public Comment." Also explained, were the implications/restrictions of the Brown Act on comments made at meetings of governmental bodies in California.

Flag Salute

FLAG SALUTE

Member Mackey led the Flag Salute.

Superintendent's Report

SUPT.'S REPORT

Superintendent Manzo began his report by welcoming John Mackey and congratulating Mary Noel for their successful election to the Oak Grove Board.

The Superintendent reported members of the Citizens Bond Oversight Committee, staff and the Oak Grove Board attended a tour of schools modernized during the summer of 2016. Sites visited included Edenvale, Davis, Parkview, Oak Ridge and Herman. He thanked CBOC members Sean Shannon, Forest Williams, Bill Becker, Jon Ranke, and Angelina Fife for their participation in the tour and ribbon cutting ceremony at Herman. He thanked Member Noel and Member Mackey for being present to celebrate the completion of those projects. He thanked the principals from those schools for expressing gratitude from the respective schools' staff and community for the improvements.

Superintendent Manzo remarked visiting various school sites with the Executive team; Santa Teresa, Christopher, Miner, and Edenvale. He also visited Hayes and concluded by thanking those site staff's and principals for their time and hospitality.

The Superintendent thanked the entire Oak Grove staff for their diligent work with the students and community and wished Happy Holidays to all.

Closed Session

CLOSED SESSION

President Hawkins reported no Action was taken during Closed Session regarding Public Employee Performance Evaluation – Superintendent; and Public Employee Discipline/Release/Dismissal; or in Conferring with District labor negotiators, Assistant Superintendent Andrew Garcia, Assistant Superintendent Laura Phan, Legal Counsel Adam Fiss and Legal Counsel Janae Novotny regarding Oak Grove Educators Association, California School Employees Association, Chapter 412; and American Federation of State, County and Municipal Employees Union, Council 57, Local 101.

President Hawkins reported Action was taken during Closed Session in conferring with legal counsel regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9: One potential case – Tort Claim No. 100616 was denied unanimously by the Board.

During Closed Session the Board also conducted a review of five student discipline

Closed Session (continued)

cases and took the following Actions in Open Session:

CLOSED SESSION

On motion by Member Adams and second by Member Bauer, the Board of Trustees expels Student 16/17-04(S) through the 2016-2017 spring semester with the enforcement of the expulsion being suspended. Based upon successful completion and documentation of completion of all rehabilitation requirements, Student 16/17-04(S) may petition the Oak Grove School District or subsequent school district for reinstatement at a comprehensive public school, with the following roll call vote:

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

On motion by Member Bauer and second by Member Adams, the Board of Trustees expels Student 16/17-05(S) through the 2016-2017 spring semester. Based upon successful completion and documentation of completion of all rehabilitation requirements, Student 16/17-05(S) may petition the Oak Grove School District or subsequent school district for reinstatement at a comprehensive public school, with the following roll call vote:

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

On motion by Member Bauer and second by Member Noel, the Board of Trustees expels Student 16/17-06(S) through the 2016-17 spring semester. Based upon successful completion and documentation of completion of all rehabilitation requirements, Student 16/17-06(S) may petition the Oak Grove School District or subsequent school district for reinstatement at a comprehensive public school, with the following roll call vote:

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

On motion by Member Adams and second by Member Bauer, based upon current information, the Board of Trustees fully readmits and reinstates Student 15/16-01(S) and allows student 15/16-01(S) to attend a comprehensive public school as of January 3, 2017, with the following roll call vote:

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

Closed Session (continued)

CLOSED SESSION

On motion by Member Noel and second by Member Bauer, the Board of Trustees continues the stipulated expulsion of Student 15/16-02(S) until the requirements of the rehabilitation plan have been met and documented and Student 15/16-02(S) petitions the Oak Grove School District or subsequent school district for reinstatement at a comprehensive public school, with the following roll call vote:

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

Board Organization

BOARD
ORGANIZATION

President Hawkins introduced the item by stating, the Board Organization meeting takes place annually, by which the Board reorganizes itself into a well-functioning governance team.

On motion by Member Hawkins and second by Member Bauer, the Board voted for Mary Noel to serve as President of the Board of Trustees for the year 2017 with the following roll call vote:

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

Following tradition, Member Noel presented President Hawkins with a small token of appreciation for his year serving as President.

President Noel proposed the following for remaining Board Officers, Signatures, Board Meeting dates/hours/place, and Board representation to committee and subcommittees:

- Carolyn Bauer to serve as Vice President/Clerk of the Board of Trustees.
- Superintendent of Schools to serve as Secretary to the Board of Trustees.
- In the event of the absence of the officers designated in the Bylaws of the Board as authorized to sign documents, the presiding officer of the Board will be authorized to sign documents as approved by, or on behalf of, the Board of Trustees.
- Set meetings of the Board of Trustees for the second and fourth Thursday of each month. Such meetings will be held at 6:30 p.m. at the central administrative office of the District located at 6578 Santa Teresa Blvd. San Jose, CA, including the following dates for 2017:

January 12, 26	July 13
February 9	August 24
March 9, 23	September 14, 28
April 13, 27	October 12, 26
May 11, 25	November 9
June 8, 22	December 14

Board Organization (continued)

- John Mackey as Board Representative to the County Committee on School District Organization.
- Board Representatives for the following subcommittees:
 - Dennis Hawkins and Carolyn Bauer as alternate to serve as representatives to the Santa Clara County School Boards Association.
 - Mary Noel with Jacquelyn Adams as alternate, to serve on the Board's Legislative Action subcommittee.
 - Carolyn Bauer and Jacquelyn Adams to serve on the Board Policy Subcommittee.
 - Dennis Hawkins and Mary Noel to serve on the Board's Evaluation Subcommittee.
 - Member John Mackey to serve on the Board's Technology Committee.
 - Member Dennis Hawkins to serve as representative on the East Side Alliance.
 - Member Mary Noel, Jacquelyn Adams and Dennis Hawkins to serve on the Board's Five-Year Plan/LCAP Committee.

BOARD
ORGANIZATION

On motion by Member Hawkins and second by Member Bauer, the Board approved Board Organization, Assignments, and Meeting Dates as presented, with the following roll call vote:

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

Public Comment

Judy Barnhart, Community Member and former District employee, welcomed John Mackey to the Board. She announced this is the last meeting she attends as President of CSEA chapter 412. She announced her May retirement from Oak Grove where she worked for twenty years. She expressed heartfelt sentiments including her start in the District as a kindergarten parent, to Patsy van Ettinger, Oscar Donehue, and Jackie Dobbins. She concluded by thanking the District for her years spent working here, committees she served on and chaired, and all of the people she worked with.

Dominic Rizzi, OGEA President, welcomed and congratulated John Mackey; and mentioned he appreciates the opportunity to work together in the future. Mr. Rizzi reported on the upcoming OGEA Gratitude Dinner where OGEA members will be recognized for their volunteerism. He also commented on OGEA's support of Special Education Needs through an organized forum, meetings with Maria Wetzel and Andy Garcia to form a Special Education Leadership Committee, and meeting with other Union Presidents and Bargaining Chairs to design common goals to support Special Education needs in contracts to improve working conditions for special education staff.

Lastly, Mr. Rizzi brought to the attention of the Board that many school districts are responding to President Elect Trump's deportation message with the adoption of a Safe School Resolution. The resolution is to provide a united front against fear and discrimination and to ensure schools are safe and accessible to all students and immigrant families.

PUBLIC
COMMENT

Consent Agenda

Superintendent Manzo presented the Consent Agenda, noting these are routine items requiring Board Action.

CONSENT
AGENDA

On motion by Member Adams and second by Member Hawkins, the Board of Trustees approved the Consent Agenda, with the following roll call vote:

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

Superintendent Manzo acknowledged and expressed gratitude for a donation of \$500 to Bernal Intermediate School from Darrin Baja and Marisela Flores.

The Board reordered the Agenda to allow Item B-1, Lease-Leaseback Procedures and Guidelines to begin following the presenter's arrival.

Streetscape Project for Miner School – Division of the State Architect Submission

Superintendent Manzo commented at the November 10, 2016 Board meeting, the Miner Streetscape Project was presented and staff was to return to the Board on December 8, 2016 for final design approval, prior to submission to the Division of State Architects. He introduced Assistant Superintendent Laura Phan and Chief Operations Officer Neil Rauschhuber to provide further information.

MINER SCHOOL -
STREETSCAPE
PROJECT FOR DSA
SUBMISSION

Ms. Phan commented the Streetscape for Miner has been brought to the Board several times. In addition, she stated, facilities staff has engaged with site personnel, parents, neighborhood associations, and neighbors around Miner school.

Member Bauer pointed out that she asked some of her neighbors if they received an invitation and they said they had not. Mr. Rauschhuber confirmed that 240 flyers were handed out to the surrounding area as previously highlighted and shared with the Board.

Member Hawkins stated that if we did not complete fully the outreach that was directed, he is inclined to ask for a motion to defer the item with direction to staff to mail notices to the property owners and residents and bring the item back in January in order to fully engage the community.

Member Bauer expressed concern that the Board cover for this item only stated three streets received notices in contrast to the highlighted map which showed numerous streets would be contacted.

Ms. Phan apologized for the oversight on her part in preparing the Board cover for this item and assured the Board that homes highlighted on the map were provided notice. She added, if notices are sent by mail and neighbors claim they have not received the mailing, our staff would still not have a way to respond to the claim. She reiterated, upon the Board's request, notifications were delivered to include an expanded area of Miner neighbors.

Streetscape Project for Miner School (continued)

Member Adams expressed concern regarding delaying the project further while Member Bauer stated her neighbors would appreciate the opportunity.

On motion by Member Hawkins and second by Member Bauer, the Board of Trustees deferred the Streetscape Project for Miner School Division of the State Architects Submission to January 26, 2016 and directed staff to perform additional outreach to include mailing notices to property owners in the streets outlined, and providing outreach to neighborhood associations affected and parent community at Miner school, with the following roll call vote:

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

Resolution No. 1245-12/16, to Adopt Lease-Leaseback Procedures and Guidelines

Superintendent Manzo deferred the item to Assistant Superintendent Laura Phan. Ms. Phan explained that a new law, AB 2316 effective January 1, 2017, regarding the “best value” selection of lease-leaseback (LLB) contractors requires a school district’s board of trustees to adopt and publish required procedures and guidelines for evaluating the qualifications of proposing contractors. Ms. Phan introduced Arne Sandberg, Senior Counsel at Lozano Smith Attorneys at Law to present the item and answer questions.

Mr. Sandberg provided information to the Board on how AB 2316 changes contractor selection and outlined the following:

- Primary changes for LLB:
 - The district must now award to the LLB contractor that has the highest best value score based on price and qualifications
 - Additional selection procedures are required
 - District may request lump sum price proposals or fee proposals
- Scoring of best value:
 - Price vs. qualifications
 - The qualifications questionnaire
 - The qualifications criteria
- Board adoption and publication of required procedures and guidelines for evaluation of qualifications of proposing contractors:
 - AB 2316 requires certain procedures and guidelines be adopted by the Board as a prerequisite to use of LLB by the District on future projects
 - This resolution adopts the minimum procedures required by law

Board Members received clarification that this resolution does not mean Lease-Leaseback is the only method the District will use, but does outline guidelines when it chooses to use the LLB method.

MINER SCHOOL -
STREETSCAPE
PROJECT FOR DSA
SUBMISSION

RESOLUTION NO.
1245-12/16, TO
ADOPT LEASE-
LEASEBACK
PROCEDURES
AND GUIDELINES

Resolution, to Adopt Lease-Leaseback Procedures and Guidelines (continued)

On motion by Member Bauer and second by Member Adams, the Board of Trustees adopted Resolution No. 1245-12/16 to adopt lease-leaseback procedures and guidelines, with the following roll call vote:

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

RESOLUTION NO.
1245-12/16, TO
ADOPT LEASE-
LEASEBACK
PROCEDURES
AND GUIDELINES

2016-17 First Interim Report

Superintendent Manzo deferred the item to Assistant Superintendent Laura Phan. Ms. Phan explained AB 2861 requires county and district superintendents to prepare and submit twice annually interim financial reports to advise administrators, the Board, the public, and other interested parties of the District's current and projected financial condition at periodic intervals during the fiscal year.

FIRST INTERIM
REPORT

Ms. Phan provided the Board with an overview of the Local Control Funding Formula (LCFF) which identified LCFF Entitlement as of 2016-17 First Interim is = to 96% of the Target. Also outlined was the First Interim General Fund explaining revenue sources, expenditure costs and ending balances. Multi-year assumptions were presented for 2016-17, 2017-18, and 2018-19 which identify LCFF apportionment per ADA, enrollment figures, mandated costs, retiree health benefits, compensation step increases and contributions from unrestricted to restricted funds for Special Education, Routine Repair, etc.

Ms. Phan presented the impact of enrollment loss, which by 2018-19 is projected at a loss of \$11,906,984. She concluded by presenting the projected cost of STRS and PERS rate increases through 2020-2021 and outlining next steps:

January 17, 2017: Governor's Proposed 2017-18 State Budget

- State budget projections will impact the Second Interim Budget and Multi-Year Projections

February, 2017

- Budget Advisory Committee will conclude budget review meetings (October-February), and finalize recommendation for cost containments.

March 9, 2017

- 2016-17 Second Interim Report presentation to Board

March – May, 2017:

- LCAP Community Engagement
- 2017- 18 LCAP and Budget Preparation

On motion by Member Hawkins and second by Member Adams, the Board of Trustees approved the positive certification on the 2016-17 First Interim Report, with the following roll call vote:

Ayes: Members Mackey, Hawkins, Adams, Bauer, and Noel
Noes: None
Absent: None
Abstaining: None

Resolution No. 1244-12/16 – Board Member Absence

Superintendent Manzo presented the item stating this Resolution is needed entitling a Board Member to be paid when there is an absence due to illness/emergency/hardship deemed acceptable by the Board.

On motion by Member Bauer and second by Member Hawkins, the Board of Trustees approved Resolution No.1244-12/16, with the following roll call vote:

Ayes: Members Mackey, Hawkins, Bauer, and Noel
Noes: None
Absent: None
Abstaining: Member Adams

CSBA Delegate Assembly Call for Nominations

Member Hawkins commented the CSBA Delegate Assembly is accepting nominations through January 7, 2017. He asked the Board if they had any questions or would like to nominate someone. There being no response from the Board, the item was closed.

Architectural Design Services Project Agreements with Sugimura Finney Architects (SFA) for Measure P Streetscape Projects - Anderson / Taylor

Superintendent Manzo introduced Assistant Superintendent Laura Phan and Chief Operations Officer Neil Rauschhuber to present the item.

Dr. Rauschhuber indicated in order to provide construction services in the summer of 2017, the plans and specifications need to be submitted to the Division of State Architects (DSA) by March 1, 2017. He presented a timeline that would be followed to ensure staff, parent, neighborhood and community outreach and the timely submission to DSA.

Superintendent Manzo requested feedback and comments from the Board with respect to the timeline. No comments were received, and he added an outreach plan would be included in a Friday letter to the Board.

Dr. Rauschhuber presented Anderson design elements which include: the existing parking lot on Calpine Drive being completely renovated and expanded which includes one new driveway entrance, two new fabric shade structures at drop off, a new CDC portable and associated parking stall on Bangor Avenue, and new play structure to replace two existing structures.

He then presented Taylor design elements which include: new cement plaster system throughout, the removal of existing planters against buildings, new decorative and non-decorative concrete at the Saunter Drive parking lot leading to the building, a new shade structure at drop off, existing Sautner parking lot replaced and reconfigured, a new trash enclosure and perimeter fencing.

Member Hawkins commented the Board still needs to have discussion regarding the long-term plan for the Two-Way Bilingual Immersion program currently at Anderson. He asked if the planning included consideration for the TWBI program and the expansion of the program by grade level. Superintendent Manzo commented planning took into account the Cottle development expansion and long-term projected enrollment.

BOARD MEMBER
ABSENCE

CSBA DELEGATE
ASSEMBLY
CALL FOR
NOMINATIONS

AGREEMENTS
WITH SUGIMURA
FINNEY
ARCHITECTS
(SFA) FOR
STREETSCAPE AT
ANDERSON AND
TAYLOR

Architectural Design Services Project Agreements with Sugimura Finney Architects (SFA) for Measure P Streetscape Projects - Anderson / Taylor (continued)

Positive comments were made by Member Bauer indicating the streetscape design is very good.

A member from the public who volunteers each morning with traffic, reported the morning drop off is very chaotic. She added, the new design will alleviate so much of the danger. Dominic Rizzi inquired about the existing iron fencing, and was informed the materials would be repurposed.

The Board thanked staff for the presentation.

Enrollment Update

Superintendent Manzo indicated the information that will be presented is to provide information requested by the Board previously and to facilitate discussion and planning regarding declining enrollment. He presented a previous projection per the District's enrollment projection consultant from March 24, 2016. He showed a side by side comparison of enrollment by school in years 2006, 2011, and 2016. Total elementary school and intermediate school capacity and unutilized classrooms were identified for regular education and special education classrooms.

The Superintendent identified the District has 127 excess classrooms. He added, libraries, staff rooms, leased spaces, small offices and resource rooms were not counted as potential classroom space.

Superintendent Manzo reminded the Board the District Demographer, Tom Williams had mentioned at a previous Board Meeting, that currently the biggest impact on enrollment is at the primary level; because TK/Kinder classes are smaller however middle schools are not yet impacted. As smaller classrooms make their way to middle school, the greatest impact in the future will then be at the middle school level. He concluded his presentation with operating costs and potential loss of revenue of unused space.

Member Hawkins expressed appreciation for the information commenting the presentation is a good starting point of what will be a series of conversations. He suggests taking a broader look at information, consider grade configuration where elementary is Kindergarten thru fifth grade and sixth thru eighth grade, ways to reduce transportation costs, and look at unique programs that will bring in students. He suggested looking at what the District did in the 2002-2003 school consolidation and what other districts with like schools have done. He also suggested having a Board appointed committee.

Member Mackey suggests looking at other cost cutting areas of the budget.

The Superintendent suggested a facilitator might be beneficial to help lead discussions in a neutral position as well as a comprehensive review to provide complete perspective. He also indicated he would present information to the Board that shows capacity and other breakout information by school site.

AGREEMENTS
WITH SFA FOR
STREETSCAPE AT
ANDERSON AND
TAYLOR

ENROLLMENT
UPDATE

Communications

The Board received an updated Board Activities Calendar listing a variety of events and activities for Board members' attendance and participation.

COMMUNICATION

Board Discussion

Member Bauer congratulated Bernal Teacher, Tiffany McFarren for being nominated to the Middle School Teacher of the Year award. She commended Principal Splane for his creative use of sending students to a Robotics class for detention, which resulted in garnering student interest and engagement in the class. She reported her attendance, along with Superintendent Manzo and Member Mackey, at the annual CSBA conference.

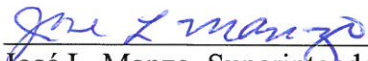
BOARD
DISCUSSION

Member Mackey added, with regard to the CSBA conference, interesting topics included the concept of having magnet schools in the district that specialize in music, drama, or robotics to attract students with those interests. The conference also addressed the crisis with teacher shortages and provided ideas on how to attract and retain long-term teachers, how to build teachers from within, and how to get veteran teachers involved in the recruiting process. He commented he and Superintendent Manzo discussed revamping the evaluation system and bringing in peer evaluators to work alongside administrators.

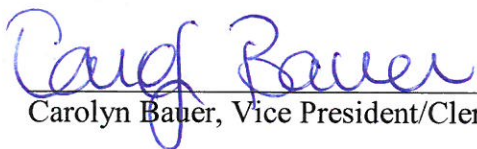
Adjournment

On motion by Member Bauer and second by Member Adams, the meeting was adjourned at 10:41 p.m., by unanimous vote.

ADJOURNMENT



José L. Manzo, Superintendent



Carolyn Bauer, Vice President/Clerk