

MEETING MINUTES

All meetings of the Governing Board are open to the general public with the exception of closed session items which are discussed confidentially in accordance with the law.

The Governing Board convenes in locations accessible in accordance with the Americans with Disabilities Act. Anyone planning to attend a meeting who has a disability and needs special assistance should call 408-535-6078 at least 24 hours in advance of the meeting to make special arrangements.

Spanish interpretation is available during meetings of the Governing Board. Anyone needing to arrange for interpretation services or to request a translated version of the agenda should call 408-535-6078 at least 24 hours in advance of the meeting to make special arrangements.

Ms. Wendi Mahaney-Gurahoo, President

Ms. Teresa Castellanos, Vice President

Mr. José Magaña, Member

Ms. Carla Collins, Member

Mr. Brian Wheatley, Member

Ms. Nancy Albarrán, Superintendent

Sanvi Manik, Student Board Member [Willow Glen High School]

Grace Hirai, Alternate Student Board Member [Gunderson High School]

The Regular Session Meeting of the Board of Education will be called to order at 5:00 p.m. in the Board Room. The Board President will 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. in the Board Room. 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 at sjusd.org.

Attendees

Voting Members

Teresa Castellanos, Board Vice President

Carla Collins, Board Member

Jose Magana, Board Member

Wendi Mahaney-Gurahoo, Board President

Brian Wheatley, Board Member

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

Board President Wendi Mahaney-Gurahoo called the meeting to order in open session at 5:00 pm. She announced that Superintendent Nancy Albarrán

B. Adoption of Closed Session Agenda

Board President Wendi Mahaney-Gurahoo announced that Superintendent Nancy Albarrán was absent. Assistant Superintendent Jodi Lax confirmed that there were no changes to the closed session agenda.

Motion made by: Teresa Castellanos

Motion seconded by: Jose Magana

Voting:

Teresa Castellanos - Yes

Carla Collins - Yes

Jose Magana - Yes

Wendi Mahaney-Gurahoo - Yes

Brian Wheatley - Yes

The closed session agenda was adopted by a vote of 5-0.

Adoption of the closed session agenda is located at 0:11 - 0:40 on the 05.09.2024 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

C. Public Comments Regarding Closed Session Agenda Items

Board President Wendi Mahaney-Gurahoo opened public comments regarding closed session items at 5:00 pm.

Each speaker was allowed two (2) minutes to address the Board.

Speaker: Jessica Jackson

Topic: Item 2.E. Complaint against employee

Speaker: Jen Jackson

Topic: Item 2.E. Complaint against employee

Public comments closed at 5:06 pm.

Public comments are located at 0:41 - 6:12 on the 05.09.2024 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

D. Adjourn to Closed Session

The Board adjourned to closed session at 5:06 pm.

E. Closed Session Agenda

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

2. Personnel [Pursuant To Government Code Section 54957 (b) (1)]

3. Conference with Legal Counsel - Anticipated Litigation [Pursuant to Government Code Section

54956.9(d)(2) or (3) or (4)]

4. Conference with Legal Counsel - Existing Litigation [Pursuant to Government Code Section 54956.9(d)(1)]

5. Liability Claims [Pursuant to Government Code Section 54956.95]

6. Conference with Labor Negotiator [Pursuant to Government Code Section 54957.6 (a)]

7. Public Employee Performance Evaluation

F. Reconvene in Open Session - 6:00 PM

Board President Wendi Mahaney-Gurahoo reconvened the meeting in open session at 6:13 pm. Board Vice President Teresa Castellanos announced that equipment for Spanish interpretation was available on the tables at the back of the room near the entrance doors. Board President Wendi Mahaney-Gurahoo announced that Superintendent Nancy Albarrán was absent.

G. Pledge of Allegiance

Student Board Member Sanvi Manik led the Pledge of Allegiance.

H. Adoption of Open Session Agenda

Board President Wendi Mahaney-Gurahoo announced that Superintendent Nancy Albarrán was absent. Associate Superintendent Jodi Lax confirmed that there were no changes to the open session agenda.

Motion made by: Brian Wheatley
Motion seconded by: Carla Collins

Voting:
Teresa Castellanos - Yes
Carla Collins - Yes
Jose Magana - Yes
Wendi Mahaney-Gurahoo - Yes
Brian Wheatley - Yes

The open session agenda was adopted by a vote of 5-0.

Adoption of the open session agenda is located at 7:16 - 7:47 on the 05.06.2024 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

I. Public Comments

Board President Wendi Mahaney-Gurahoo opened public comments at 6:15 pm. Each speaker was allowed one (1) minute each to address the Board.

Speaker: Michelle Robles
Topic: SJTA Formula

Speaker: Stacy Rapoport
Topic: Formula

Speaker: Steven Boyd
Topic: Formula

Speaker: Mike Gomez
Topic: Formula

Speaker: Eduardo Valladares
Topic: Funding Salary

Speaker: Melissa Urbain
Topic: Formula

Speaker: William Breeman
Topic: Formula

Speaker: Yolanda Guerra
Topic: Formula

Speaker: Nancy Reid
Topic: Formula

Speaker: Kristine Vaughn-Hulbert
Topic: Formula

Speaker: Karen Sauer
Topic: SJUSD/SJTA formula

Speaker: Jackie Cohen
Topic: Salary ratification

Speaker: Alana Abatecola
Topic: Salary formula

Speaker: Alison Appleby
Topic: Fair Share Formula

Speaker: Christina Wilson
Topic: Formula

Speaker: Christopher Eikenberry
Topic: Formula

Speaker: Paul Nyhof
Topic: Salary formula

Speaker: Craig Clouden
Topic: Pay cut by district

Speaker: Hilary Headlee
Topic: Schallenberger librarian removal/replacement

Speaker: Derek Obayashi
Topic: Schallenberger librarian removal/replacement

Speaker: Liza Smyth
Topic: Schallenberger librarian removal

Speaker: Melissa Webb
Topic: Prop 28 funding

Speaker: Chris Webb
Topic: SJUSD misappropriation of funding for the arts

Public comments closed at 6:44 pm.

Public comments are located at 7:52 - 37:19 on the 05.09.2024 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

J. Special Order of Business

None

K. Announcements and Reports

1. Board of Education and Student Board Member

Trustee Carla Collins gave a brief report on the activities and meetings in which she recently participated. She highlighted the Low Rider Festival held at Willow Glen High School, the Latino literature class at Lincoln High School, and her meetings with concerned parents regarding various issues. She attended a briefing on a recent report regarding the cost-effectiveness of Project Labor Agreements and another briefing focused on Latino civic engagement. She participated in a meeting to address the Board policy and administrative regulation on non-discrimination policies and LGBTQ support within the school community, and the meeting of the advisory committee on the Voluntary Integration Plan. She attended a screening of the documentary "Fentanyl High," a film aimed at educating youth about the dangers of fentanyl, emphasizing the importance of addressing such critical issues in schools.

At 6:51 pm, following the close of public comments, Board President Wendi Mahaney-Gurahoo called for a five (5) minute break to provide time for members of the audience to leave the room if they preferred not to stay for the entire meeting.

Board President Wendi Mahaney-Gurahoo reconvened the open session meeting at 6:57 pm.

Trustee Brian Wheatley recounted some recent personal challenges, including a fall resulting in a torn rotator cuff, which affected his ability to go to the gym but has led to increased walking for the spring wellness challenge. He expressed gratitude to Trustee José Magaña for his support in attending the CAC-SE Meeting in his place. He highlighted meetings and community events attended, such as the Falcon Family Fiesta at John Muir Middle School, the Project Cornerstone Volunteer Celebration and the Employee of the Year awards event. He reported on his involvement in educational activities, including reading sessions for fifth graders at Hacienda Elementary. He reflected on the impact of the documentary film "Fentanyl High" and expressed appreciation for the efforts to bring it to a wider audience. He attended the Hoffman Awards hosted by the Santa Clara County School Boards Association (SCCSBA) at MetroED and celebrated the success of the Fashion Design and Textile Art Program. He participated in a Bond committee meeting to review polling data.

Trustee Magaña gave a brief report on the meetings and events in which he recently participated,

including the bond committee meeting. He shared his experience attending his child's first dance event. He expressed gratitude to the team at Trace Elementary and commended the volunteers for organizing the event despite multiple rescheduling. He attended the Parcel Tax Oversight Committee Meeting and extended thanks to the committee chairpersons and members.

Student Board Member Sanvi Manik reported on her recent activities and meetings, including attending Shallenberger's 4th-grade wax museum and Willow Glen's Low Rider Festival, which aimed to bring students from diverse backgrounds together. She also reported on the last ILC meeting where updates on student nutrition were discussed and expressed appreciation for improvements made based on student feedback. She wished luck to students taking AP tests and acknowledging that it was Teacher Appreciation Week, she extended gratitude to teachers. She congratulated Lara Harb from Leland and Gabriel Ruiz-Flores from San José High School, who will be the next student board members for the upcoming school year.

Board Vice President Teresa Castellanos provided a brief update on the recent activities and meetings in which she participated. She highlighted her recent site visits to Grant, Lowell, and Olinder Elementary Schools, where she heard from teachers about safety concerns, particularly regarding traffic and post-pandemic challenges. She advocated for a collective approach to address safety issues effectively. She attended the Employee of the Year awards event and expressed gratitude to all school employees for their contributions. She gave an update on the VIP meeting where the discussion focused on the LCAP process.

Board President Wendi Mahaney-Gurahoo expressed gratitude to Trustee Brian Wheatley for covering the Hoffman Awards event. She shared her involvement in school and community meetings and events, including the Employee of the Year awards. She highlighted being the keynote speaker at the Illuminate the Night event hosted by Health Connected and attending a friend's swearing-in ceremony as the new PTA president. She commended the social media team for their excellent work. She introduced next year's student board members Lara Harb from Leland High School and Gabriel Ruiz-Flores from San José High School and invited Lara to share her excitement for the upcoming year.

Announcements and Reports by the Board of Education and Student Board Member are located at 37:26 - 59:55 on the 05.09.2024 Regular Session Board Meeting Recording.
<https://sjusd.app.box.com/v/boardmeeting> audio

2. Superintendent and Executive Staff

Assistant Superintendent J. Dominic Bejarano had no report.

Associate Superintendent Jodi Lax had no report.

Chief Business Officer Seth Reddy acknowledged that his points had been previously mentioned. He echoed Trustee José Magaña's appreciation of the Parcel Tax Oversight Committee members and the community members that attended the policy committee meeting. He acknowledged the student nutrition team for implementing the student feedback effectively. He noted with satisfaction, the recognition of special education staff at the Employee of the Year event. He gave a brief update on the webinar he hosted with school-connected organization leaders to discuss updates for the upcoming school year and to receive feedback on continuing to support those organizations going forward.

Board President Wendi Mahaney-Gurahoo acknowledged the absence of Superintendent Nancy Albarrán.

Announcements and Reports by the Superintendent and Executive Staff are located at 59:59 - 1:01:26 on the 05.09.2024 Regular Session Board Meeting Recording.
<https://sjusd.app.box.com/v/boardmeeting> audio

L. Minutes

1. Approval of the Minutes of the Special Session Meeting held April 23, 2024

Motion made by: Teresa Castellanos

Motion seconded by: Brian Wheatley

Voting:

Teresa Castellanos - Yes

Carla Collins - Yes

Jose Magana - Yes

Wendi Mahaney-Gurahoo - Yes

Brian Wheatley - Yes

The minutes of the Special Session Meeting held April 23, 2024, were approved as submitted by a vote of 5-0.

Approval of the minutes of the special session meeting is located at 1:01:37 - 1:01:54 on the 05.09.2024 Regular Session Board Meeting Recording.
<https://sjusd.app.box.com/v/boardmeetingaudio>

2. Approval of the Minutes of the Regular Session Meeting held April 25, 2024

Motion made by: Brian Wheatley

Motion seconded by: Jose Magana

Voting:

Teresa Castellanos - Yes

Carla Collins - Yes

Jose Magana - Yes

Wendi Mahaney-Gurahoo - Yes

Brian Wheatley - Yes

The minutes of the Regular Session Meeting held April 25, 2024, were approved as submitted by a vote of 5-0.

Approval of the minutes of the regular session meeting is located at 1:01:55 - 1:02:13 on the 05.09.2024 Regular Session Board Meeting Recording.
<https://sjusd.app.box.com/v/boardmeetingaudio>

M. Approval of Consent Calendar

There was one public comment regarding item M.5. Public comments opened at 7:16 pm. As the bargaining representative for SJTA, the speaker, SJTA President Renata Sanchez, was allowed five (5) minutes to address the Board.

Speaker: Renata Sanchez

Topic: In support of Item M.5. Sunshining of Initial Proposals between San José Unified School District (SJUSD) and California School Employees Association (CSEA), local Chapter 4

Public comments closed at 7:18 pm.

Motion to approve the consent calendar.

Motion made by: Carla Collins

Motion seconded by: Teresa Castellanos

Voting:

Teresa Castellanos - Yes

Carla Collins - Yes

Jose Magana - Yes

Wendi Mahaney-Gurahoo - Yes

Brian Wheatley - Yes

The consent calendar was approved by a vote of 5-0.

Public comments and approval of the consent calendar are located at 1:02:15 - 1:05:22 on the 05.09.2024 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

1. Management Personnel Actions (ACTION)

2. Certificated Personnel Actions (ACTION)

3. Classified Personnel Actions (ACTION)

4. Short-term Limited Services Agreements (ACTION)

5. Sunshining of Initial Proposals between San José Unified School District (SJUSD) and California School Employees Association (CSEA), local Chapter 4 (ACTION)

6. Amendment to Exhibit 5145.6: Parent/Guardian Notifications (2nd Reading) (ACTION)

7. Master Group Use Agreement with YMCA Camp Campbell Outdoor Science School (ACTION)

8. Adoption and Purchase of Instructional Materials for Non-Categorical and Special Day Class (SDC) - Reading Horizons (ACTION)

9. Bid 4041C - Pioneer Contractors, Inc. (ACTION)

10. Bid 4042C - I & A Contractors, Inc. (ACTION)

11. BID 4043C - Roofing & Solar Construction, Inc. (ACTION)

12. Bid 4044C - Stronger Building Services, Inc. (ACTION)

13. Bid 4045C - Color New Painting, Inc. (ACTION)

14. Amendment 2 to Contract with Alfa Tech Consulting Engineers, Inc. (ACTION)

15. Joint Use Agreement with Second Start Learning Disabilities Program (ACTION)

16. Ratification of Construction and Purchasing Related Contracts and Items (ACTION)

N. Action, Information, and Discussion Items

1. Deletion of Exhibit 1312.4-E(1) and (E2) Williams Uniform Complaint Procedures (1st Reading) (INFORMATIONAL)

Associate Superintendent Jodi Lax provided information about the deletion of Exhibit 1312.4-E(1) and (E2) Williams Uniform Complaint Procedures.

Discussion of items N.1 through N.6 is located at 1:05:25 - 1:09.29 on the 05.09.2024 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

2. Deletion of Board Policy 1621: ^Home Based Schooling (1st Reading) (INFORMATIONAL)

This item is informational. Associate Superintendent Jodi Lax provided information about the deletion of Board Policy 1621: ^Home Based Schooling.

3. Amendment to Board Policy and Administrative Regulation 5131.4: Student Disturbances (1st Reading) (INFORMATIONAL)

This item is informational. Associate Superintendent Jodi Lax provided information about the changes to Board Policy and Administrative Regulation 5131.4: Student Disturbances.

4. Amendment to Regulation 5131.41: Use of Seclusion and Restraint (1st Reading) (INFORMATIONAL)

This item is informational. Associate Superintendent Jodi Lax provided information about the changes to Administrative Regulation 5131.41: Use of Seclusion and Restraint.

5. Amendment to Board Policy and Administrative Regulation 6159.2: Nonpublic, Nonsectarian School and Agency Services for Special Education (1st Reading) (INFORMATIONAL)

This item is informational. Associate Superintendent Jodi Lax provided information about the changes to Board Policy and Administrative Regulation 6159.2: Nonpublic, Nonsectarian School and Agency Services for Special Education.

6. Amendment to Board Policy and Deletion of Administrative Regulation 6175: Migrant Education (1st Reading) (INFORMATIONAL)

This item is informational. Associate Superintendent Jodi Lax provided information about the changes to Board Policy 6175 and the deletion of Administrative Regulation 6175: Migrant Education.

7. Student Expulsion Case 2023-2024-019 (ACTION)

Following the hearing in closed session, the Board took final action on this case.

Motion to expel made by Brian Wheatley

Motion seconded by José Magaña

Roll Call Vote:

Carla Collins - Yes

Brian Wheatley - Yes

José Magaña - Yes

Teresa Castellanos - Yes

Wendi Mahaney-Gurahoo - Yes

Motion to suspend the expulsion made by Brian Wheatley
Motion seconded by José Magaña

Roll Call Vote:

Carla Collins - Yes
Brian Wheatley - Yes
José Magaña - Yes
Teresa Castellanos - Yes
Wendi Mahaney-Gurahoo - Yes

Board action is located at 1:09:31 - 1:10:34 on the 05.09.2024 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

The Board adjourned the open session meeting to reconvene in closed session at 7:23 pm.

O. Closed Session Report

Board President Wendi Mahaney-Gurahoo reconvened the meeting in open session at 8:21 pm.

Assistant Superintendent Jodi Lax gave the closed session report.

In closed session, the Board of Education held an expulsion hearing for case number 2023-2024-019 with all Board members present.

The Board also discussed a personnel complaint and voted 4-1 with all Board members present to uphold the decision of the superintendent or designee without hearing the complaint.

The Board held a conference with legal counsel on anticipated litigation cases with all members present. One case in the amount of \$65,000 was approved by a vote of 5-0.

Vote:

Teresa Castellanos - Yes
Carla Collins - Yes
José Magaña - Yes
Wendi Mahaney-Gurahoo - Yes
Brian Wheatley - Yes

Another case for \$100,000 was approved by a vote of 5-0.

Vote:

Teresa Castellanos - Yes
Carla Collins - Yes
José Magaña - Yes
Wendi Mahaney-Gurahoo - Yes
Brian Wheatley - Yes

A third case for \$178,000 was approved by a vote of 5-0.

Vote:

Teresa Castellanos - Yes
Carla Collins - Yes
José Magaña - Yes
Wendi Mahaney-Gurahoo - Yes
Brian Wheatley - Yes

And the fourth case for \$385,552 was approved by a vote of 5-0.

Vote:

Teresa Castellanos - Yes
Carla Collins - Yes
José Magaña - Yes
Wendi Mahaney-Gurahoo - Yes
Brian Wheatley - Yes

The Board also held a conference with legal counsel on existing litigation, Superior Court of California, County of Santa Clara, Case Number 18CV330233 and United States District Court, Northern District of California, Case No. 5:20-CV-2798 with no reportable action for either case and all Board members present.

The Board discussed the liability claim by Kan Guo and denied it by a vote of 5-0 with all Board members present.

Vote:

Teresa Castellanos - Yes
Carla Collins - Yes
José Magaña - Yes
Wendi Mahaney-Gurahoo - Yes
Brian Wheatley - Yes

The Board also discussed a liability claim by Binod Bista and denied it by a vote of 5-0 and all Board members present.

Vote:

Teresa Castellanos - Yes
Carla Collins - Yes
José Magaña - Yes
Wendi Mahaney-Gurahoo - Yes
Brian Wheatley - Yes

The Board of Education discussed labor negotiations with no reportable action and all Board members present.

The Board also discussed the Superintendent's evaluation with no reportable action and all Board members present.

The reconvening in open session and closed session report are located at 1:10:57 - 1:13:20 on the 05.09.2024 Regular Session Board Meeting Recording. <https://sjusd.app.box.com/v/boardmeetingaudio>

P. Adjourn

Motion made by: Carla Collins

Motion seconded by: Teresa Castellanos

Voting:

Teresa Castellanos - Yes
Carla Collins - Yes
Jose Magana - Yes
Wendi Mahaney-Gurahoo - Yes
Brian Wheatley - Yes

The meeting adjourned at 8:24 pm.

1. Next Board Meeting - May 23, 2024