

SANTA CLARA COUNTY BOARD OF EDUCATION
1290 Ridder Park Drive
San Jose, California 95131

APPROVED
Minutes of Regular Meeting #1084
Board Room
August 23, 2006
4:00 p.m.

Members Present: T.N. Ho, President
Gary Rummelhoff, Vice President
Jane Howard
Bill Evers
Anna Song
Leon Beauchman
Anthony Muñoz

The meeting was called to order by President Ho at 4:12 p.m.

Setting the Agenda

MOTION #1084-1 by Ms. Song, seconded by Mr. Beauchman, that the agenda be approved as submitted.

MOTION #1084-1 carried a 5-0-0-2 vote with members Rummelhoff and Muñoz absent.

Pledge of Allegiance

President Ho led the pledge of allegiance.

Hearing of Persons Desiring to Address the Board or to Present Petitions

President Ho invited members of the public to address the Board.

Bob Elson, Board Member from Bullis Charter School, presented updates.

(Gary Rummelhoff arrived at the meeting.)

Angela Thomas, SEIU Local 715, spoke on the substitute campaign to modify the SEIU Local 715 bargaining unit to include substitute employees.

Fred Villasenor, Executive Director, Community Child Care Council of Santa Clara County, informed the Board that a charter school petition for Community Elementary Charter School has been submitted.

Consent Action Items

Mr. Beauchman requested a correction to his travel report. Minutes read, "Attended the San Jose Mayor's Parents Summit", and should have read: "Attended a planning meeting for the upcoming Mayor's High School Parent Summit."

MOTION #1084-2 by Ms. Howard, seconded by Mr. Rummelhoff, that the following Consent Action Items be approved with noted correction:

- Request Approval of Minutes of Regular Meeting of July 12, 2006 (#1083)
- Request Approval of Purchase Order Exceeding \$100,000
- Request Approval of Purchase Order Exceeding \$100,000
- Request Approval of Purchase Order Exceeding \$100,000

MOTION #1084-2 carried a 6-0-0-1 vote with member Muñoz absent.

(Mr. Muñoz arrived at the meeting.)

Mr. Muñoz requested that he be excused from the following meetings due to illness: Special Meeting of June 16, 2006 (#1082-S1), Special Meeting of June 17, 2006 (#1082-S2) and Regular Meeting of June 21, 2006 (#1082).

MOTION #1084-3 by Dr. Evers, seconded by Mr. Beauchman that the Board excuse Mr. Muñoz from the noted meetings.

MOTION #1084-3 carried a 7-0-0-0 vote.

Study Action Items

University Preparatory Academy Charter Petition

Dr. Porter Sexton, Executive Director, Center for Educational Planning, briefly explained staff's recommendation on the University Preparatory Academy Charter Petition. Dr. Sexton and Superintendent Wilcox answered questions from the Board. *(Resolution is attached.)*

Petitioner, Mr. Dan Ordaz, Board of Directors of University Preparatory Academy Charter School, answered questions from the Board.

MOTION #1084-4 by Mr. Beauchman, seconded by Mr. Muñoz that the County Board of Education does hereby approve the charter petition of University Preparatory Academy.

The following roll call vote was taken:

AYE: Vice-President Rummelhoff, members Song, Howard, Beauchman, Muñoz and Dr. Evers

NO: President Ho

ABSTAIN: -none-

ABSENT: -none-

MOTION #1084-4 carried a 6-1-0-0 vote with President Ho voting no.

Recess

The Board recessed at 5:45 p.m. and reconvened at 5:55 p.m.

Request to Attend the National Association of Charter School Authorizers (NACSA) Annual Conference

MOTION #1084-5 by Mr. Beauchman, seconded by Ms. Song, that the request from Dr. Evers to attend the National Association of Charter School Authorizers conference be approved.

MOTION #1084-5 carried a 7-0-0-0 vote.

Adoption of Resolution for Signature Authorization on Contracts Between the California Department of Education and the Santa Clara County Office of Education.

MOTION #1084-6 by Ms. Song, seconded by Ms. Howard, that the Adoption of Resolution for Signature Authorization on Contracts Between the California Department of Education and the Santa Clara County Office of Education be approved.

The following roll call vote was taken:

AYE: President Ho, Vice-President Rummelhoff, Song, Howard, Beauchman, Muñoz and Dr. Evers
NO: -none-
ABSTAIN: -none-
ABSENT: -none-

MOTION #1084-6 carried a 7-0-0-0 vote.

Resolution Supporting Senate Bill 1193 (Bowen)

Joan Cooper, PTA, informed the Board that California PTA supports SB 1193.

MOTION #1084-7 by Mr. Beauchman, seconded by Ms. Song, that the Resolution Supporting Senate Bill 1193 (Bowen) be approved. (*Resolution is attached.*)

The following roll call vote was taken:

AYE: President Ho, Vice-President Rummelhoff, members Howard, Beauchman, Muñoz and Song
NO: Dr. Evers
ABSTAIN: -none-
ABSENT: -none-

MOTION #1084-7 carried a 6-1-0-0 vote with Dr. Evers voting No.

CHANGE IN AGENDA

Information Items

Update on Assessment of Kindergarten Readiness in San Mateo and Santa Clara Counties Presented By United Way

Mr. Rummelhoff introduced Lori Burns, of United Way who reported on the Santa Clara County School Readiness Assessment. Ms. Burns answered questions from the board.

(Mr. Muñoz left the meeting.)

Public Hearing

Public Hearing and Sunshine on the Reopener Proposal from the Service Employees International Union Local 715 (SEIU) to the County Superintendent of Schools

President Ho opened the hearing for public comment.

No one wished to address the Board at this time.

Information Items

Update on 2006-07 State Budget and Impact on SCCOE Adopted Budget

Doug Coffman, Director of Internal Business Services, presented a synopsis of the 2006-2007 State Budget and answered questions from the Board.

Charter Renewal Process

Peter Evans, Board Member of Bullis Charter School, informed the Board that Bullis Charter School will be seeking renewal.

Dr. Sexton provided an overview of the charter renewal process and answered questions from the Board.

Establishment, Elimination and Increase of Positions

Laura Kidwiler, Assistant Superintendent, Human Resources, presented information on the establishment, elimination and increase of positions and answered questions from the Board.

Credential Services Update

Ms. Kidwiler introduced Mary Jane Roberts, Supervisor of Credential Services, who gave an update of COE's Credential Services department that serves the public school educators throughout Santa Clara County.

Board Committee Reports

There were no committee reports.

County Board of Education Travel

Leon Beauchman

- Attended a planning meeting for the upcoming San Jose Mayor's High School Parent Summit
- Attended SCCOE's All Staff In-Service Event

Bill Evers

- Attended a lunch meeting with the Board President of California State University Fullerton and former board member Janet Nicholas
- Attended board meetings at: Sunnyvale School District, Mt. View-Los Altos High School District, Mt. View-Whisman School District, Fremont Union High School District and Palo Alto Unified School District
- Met with Caprice Young, President/CEO, California Charter Schools Association

Anna Song

- Attended Take Your Kids to Work Day at SCCOE
- Met with Assistant Superintendent Fimiani and a concerned parent

Gary Rummelhoff

- Attended SCCOE's All Staff In-Service Event

Superintendent's Report

- Wally Award, September 9, San Jose Convention Center
- Warmenhoven Institute for Inclusion
- District and COE schools starting dates
- Terra Bella (New North County Community Day School)
- Williams visits
- COE staff vacancies

Disclosure of Items to be Discussed in Closed Session

President Ho reported that the Board will hold a Closed Session to consider the following items.

- A. Conference with Legal Counsel — Anticipated Litigation Significant exposure to litigation pursuant to Government Code Subdivision B of Section 54956.9: one potential case
- B. Discussion with Unrepresented Employee (Gov. Code Section 54957.6), Superintendent

Closed Session

The Board convened into Closed Session at 8:05 p.m.

OPEN SESSION – 9:10 pm

Report of Closed Session Actions

President Ho reported that, in the matter of Agenda Item 12.A. Conference with Legal Counsel, there was no reportable action.

President Ho reported that, in the matter of Agenda Item 12.B discussion with Unrepresented Employee, the following motion was made:

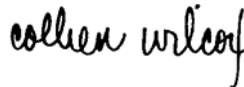
MOTION #1084-8 by Mr. Beauchman seconded by Dr. Evers that the board extend the Superintendent's MOU to December 31, 2009 and will pay for whole life insurance rather than term life insurance at no additional cost to the Santa Clara County Office of Education.

MOTION #1084-8 carried a 5-0-0-2 vote with members Rummelhoff and Muñoz absent.

Adjournment

The meeting was adjourned at 9:12 p.m.

Respectfully submitted,



Colleen B. Wilcox, Ph.D., Superintendent
Ex-Officio Secretary

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**RESOLUTION APPROVING THE CHARTER PETITION
OF UNIVERSITY PREPARATORY ACADEMY**

SANTA CLARA COUNTY BOARD OF EDUCATION RESOLUTION NO 1084-1

RESOLVED by the Santa Clara County Board of Education, County of Santa Clara, State of California, that:

WHEREAS, pursuant to the procedures set forth in Education Code Section 47605.6 and its implementing regulations, petitioners for the University Preparatory Academy Charter School presented their Petition to establish a charter school to the County Office of Education on June 5, 2006; and a public hearing on this matter was held on July 12, 2006; and

WHEREAS, the County Board of Education reviewed the Petition taking into consideration the testimony and documents submitted, including the University Preparatory Academy Charter Petition to the County Board of Education, received June 5, 2006; the testimony presented at the public hearing held on July 12, 2006; additional materials received from petitioners and the public; and the review and recommendations of County Office of Education staff; and

WHEREAS, the County Board of Education finds that the proposed charter school will offer services to pupils who have performed at an average or below average level, and that such pupils will benefit from those services; and

WHEREAS, the County Board of Education finds that, due to the unique location and provisions of the proposed school facility, and the desire of petitioners to serve students from multiple districts, the pupil population of the proposed school cannot be served as well by a charter school that operates in only one school district in the county; and

WHEREAS, the County Board of Education finds that the deficiencies identified by staff review can be addressed by corrections and additions to the charter petition materials and incorporated into the standard County Office of Education Memorandum of Understanding;

NOW, THEREFORE, the County Board of Education does hereby approve the petition, and does hereby grant the charter, with the stipulation that the charter granted by the County Board of Education differs from the original petition document in the following respects:

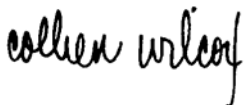
1. The charter document approved is that found on pages 4 through 50 of the charter petition received on June 5, 2006.
2. The charter is approved for an initial period of three years of school operation, commencing July 1, 2007 and continuing through June 30, 2010.
3. Petitioners must revise the school's Plan for Student Academic Performance, Recruitment and Enrollment Plan, Personnel Policies, Safety and Facility Plan and Plan for English Language Learners to address the issues raised by SCCOE staff, and must submit the revised plans and policies to the County Superintendent of School, and obtain the approval of the County Superintendent of Schools in the form of a signed Memorandum of Agreement (MOU) that incorporates the revised plans. The County

Board of Education directs the County Superintendent of Schools to negotiate such a MOU with University Preparatory Academy Charter School consistent with the standard MOU established by Santa Clara County Office of Education Administrative Regulation 6234. Failure to

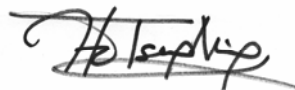
successfully negotiate such a MOU by December 1, 2006 shall be considered grounds for revocation of the charter.

Passed and adopted by the Santa Clara County Board of Education at a meeting held on this 23rd day of August, 2006 by the following vote:

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| AYE: | Vice-President Rummelhoff, members Howard, Beauchman, Muñoz, Song and Dr. Evers |
| NO: | President Ho |
| ABSTENTION: | -none- |
| ABSENT: | -none- |



Colleen B. Wilcox, Ph.D.
County Superintendent of Schools



T. N. Ho, President
Santa Clara County Board of Education

RESOLUTION

CALLING ON THE LEGISLATURE TO SUPPORT SENATE BILL 1193 WHICH ENCOURAGES STUDENTS TO EXPERIENCE DEMOCRACY FIRST-HAND BY VOLUNTEERING AT POLLING PLACES ON ELECTION DAY WHILE STILL ALLOWING SCHOOLS TO RECEIVE AVERAGE DAILY ATTENDANCE (ADA) FUNDING.

SANTA CLARA COUNTY BOARD OF EDUCATION

RESOLUTION No. 1084-2

WHEREAS, existing law authorizes a pupil to be excused from school for specified reasons, including for the purpose of serving as a member of a precinct board for an election, and

WHEREAS, existing law provides that excused absences for those specified reasons are, nevertheless, absences for the purpose of computing Average Daily Attendance (ADA) and do not generate state apportionment payments, and

WHEREAS, Senate Bill 1193, for purposes of computing the average daily attendance generated by a pupil enrolled in a history or social science course required by a school district as a condition of receipt of a high school diploma, deems a pupil serving as member of a precinct board for an election to be under the immediate supervision of the certificated teacher of the history or social science course as defined in Education Code Section 46300, and thus would exempt that absence from the computation of average daily attendance, and

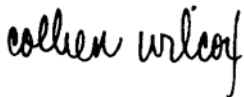
WHEREAS, Senate Bill 1193 encourages high school students to experience democracy first-hand by volunteering at polling places on Election Day.

THEREFORE BE IT RESOLVED that the Santa Clara County Board of Education call on the Legislature to support Senate Bill 1193.

PASSED AND ADOPTED by the Santa Clara County Board of Education at a meeting held on August 23, 2006, by the following vote:

AYES: President Ho, Vice President Rummelhoff, members Beauchman, Song, Howard and Muñoz
NOES: Dr. Evers
ABSTAIN: -none-
ABSENT: -none-

Signed by:



Colleen B. Wilcox, Ph.D.
County Superintendent



T.N. Ho, President
Santa Clara County Board of Education