

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

APPROVED  
Regular Meeting #2035  
Board Room  
March 4, 2009  
5:00 p.m.

1. CALL TO ORDER

The meeting was called to order by President Mann at 5:00 p.m.

a) Pledge of Allegiance

President Mann asked Cathy DiBenedetto, recipient of SCCOE's Employee of the Month recognition, to lead the pledge of allegiance.

b) Roll Call

**Trustees Present:**

Grace Mah, Area 1  
T.N. Ho, Area 2  
Leon Beauchman, Area 3 (*arrived at 5:04 p.m.*)  
Joseph Di Salvo, Area 4  
Anna Song, Area 5  
Craig Mann, Area 6  
Jane Howard, Area 7

c) Adoption of Agenda

MOTION #2035-1 by member Di Salvo that the agenda be adopted as submitted. Vice President Song seconded the motion and it carried 6-0 with member Beauchman absent.

2. SCCOE EMPLOYEE OF THE MONTH RECOGNITION: CATHY DIBENEDETTO, LIBRARY RESOURCE SPECIALIST II, LEARNING MULTIMEDIA CENTER

*(Member Beauchman arrived at the meeting – 5:04 p.m.)*

President Mann introduced Cathy DiBenedetto, March's Employee of the Month. He noted Cathy's contributions and presented a plaque and an engraved pen in recognition of her work and introduced Peter Doering, Coordinator for the Learning Multimedia Center, who spoke about the compassion Cathy displays in her job. Peter introduced Mary Anne Bosward, Director of Special Education, who spoke of Cathy's innovative and creative style in assisting Special Education. Cathy thanked the Board and the selection committee for the recognition.

3. PUBLIC COMMENTS OF PERSONS DESIRING TO ADDRESS THE BOARD OR TO PRESENT PETITIONS

President Mann opened the hearing for public comment.

The following individuals spoke regarding their concerns on the issues surrounding the process of establishing new community schools:

Barbara Hansen, People Acting in Community Together (PACT)  
Stephanie McGuire, PACT  
John Malloy, Intervention Specialist, Santa Clara Unified School District  
Sally Casas, PACT

4. CORRESPONDENCE

- Head Start Update

Joe Fimiani, Assistant Superintendent of Student Services, shared some highlights on Head Start's performance.

5. CONSENT ACTION ITEMS

- a) Request Approval of Minutes of Regular Meeting of February 18, 2009 (#2034)
- b) Request Approval of County Superintendent's Monthly Expenses

MOTION #2035-2 by member Howard that the Board approve Consent Action Items A through B. Member Mah seconded the motion and it passed unanimously.

6. STUDY ACTION ITEM

- a. Adopt the Budget Revisions for the Period Ending January 31, 2009

Doug Coffman, Director of Internal Business Services, provided an overview of the budget revisions for the period ending January 31, 2009.

MOTION #2035-3 by member Beauchman that the Board adopt the Monthly Financial Report for the Period Ending January 31, 2009. Member Howard seconded the motion and it passed unanimously.

b) Accept the Monthly Financial Report for the Period Ending January 31, 2009

Mr. Coffman reported on the monthly financial report for the period ending January 31, 2009 and answered questions from the Board.

MOTION #2035-4 by member Ho that the Board accept the monthly financial report for the period ending January 31, 2009. Member Di Salvo seconded the motion and it passed unanimously.

c. Resolution Recognizing March 1-7, 2009 as Week of the School Administrator

Superintendent Weis briefed the Board on the Week of the School Administrator resolution.

MOTION #2035-5 by Vice President Song that the Board adopt the resolution recognizing March 1-7, 2009 as Week of the School Administrator. Member Howard seconded the motion and it passed unanimously.

The resolution was adopted by the following roll call vote:

AYE: President Mann, Vice President Song and members Beauchman, Ho, Mah, Di Salvo and Howard

NO: -none-

ABSTAIN: -none-

ABSENT: -none-

d) Approval of Allocation of ROP ADA to the North County Regional Occupational Program Joint Powers Agreement (NCROP JPA)

Superintendent Weis reported that school districts in the north county have requested to form a Joint Powers Agreement and to create their own direct service on regional occupational programs. Dr. Cary Dritz, Deputy Superintendent, explained that teachers will be reviewed for retainment in the JPA and answered questions.

MOTION #2035-6 by member Howard that the Board approve the allocation of 695 ADA to the NCROP JPA. Vice President Song seconded the motion and it passed unanimously

e) Request Approval to Submit a Competitive Application for Silicon Valley Math Initiative Grant

Superintendent Weis provided an overview of the Silicon Valley Math Initiative, which is being installed in many of the deciles 1-2-3 schools. Superintendent Weis; Linda Aceves, Assistant Superintendent of Instructional Service; and Paula Mitchell, Director of Alternative Schools Department answered questions.

MOTION #2035-7 by member Howard that the Board approve the submission of a competitive application for the Silicon Valley Math Initiative Grant. Member Mah seconded the motion and it passed unanimously.

f) Magnolia Science Academy – Santa Clara Charter Decision

Superintendent Weis presented a summary on the Magnolia Science Academy – Santa Clara petition.

President Mann explained the process of the decision which was then followed by Don Bolce, Director of Center for Educational Planning, providing an oral report.

Board members asked questions from staff.

The following individual spoke in opposition to the petition:

- Dan Moser, Associate Superintendent of Instructional Services/Human Resources, East Side Union High School District

The following individuals spoke in support of the petition:

Joseph Hurmali, President of Magnolia Educational & Research Foundation  
Paula Bao, parent  
Henrietta Subbaraman, teacher at Cupertino Union School District  
Dr. Ying-Feng Pang, community member  
Bob Hoffman, parent  
Denise Dogruer, parent  
Joni Saxon, parent  
Joseph Saib, parent  
Betul Delibalta, community member  
Hyun Dasdan, parent  
Nihal Yalcin, parent  
Bora Karayaka, parent  
Moo Ryong Jeong, parent (via email)  
Josefina Karaca, parent (via email)  
Hulya Yazgan, parent (via email)  
Selin Yeksek, parent (via email)

Board members asked clarifying questions from staff and petitioners and then deliberated.

MOTION #2035-8 by member Beauchman, seconded by member Howard that the Board approve the Countywide Charter Petition of Magnolia Science Academy—Santa Clara as submitted.

Board members continued with their deliberation and asked questions of staff and petitioners.

MOTION #2035-9 by member Ho to amend the motion to approve the first of three schools and subsequent schools will come back for board approval. Member Mah seconded the motion.

MOTION #2035-9 carried by 5-2-0 with members Song and Di Salvo voting no.

The Board then voted on the motion as amended:

MOTION #2035-8 and Motion #2035-9 carried by 5-2-0 with members Song and Di Salvo voting no.

#### Recess

The Board broke for recess at 8:50 p.m. and reconvened at 9:00 p.m.

*(Member Howard left the meeting – 8:50 p.m.)*

The resolution approving the Countywide Charter Petition of Magnolia Science Academy—Santa Clara was adopted by the following roll call vote: *(resolution attached)*

AYE: President Mann, and members Beauchman, Ho, and Mah  
NO: Vice President Song and Di Salvo  
ABSTAIN: -none-  
ABSENT: member Howard

## 7. INFORMATION / DISCUSSION ITEMS

### a) County Committee on District Organization

Superintendent Weis read a portion of a letter from State Superintendent of Public Instruction, Jack O’Connell, that answered the question of whether the County Committee should move ahead proactively on the Voters’ Rights Act (VRA) — *“The answer is that the county committees should respond proactively when they conclude that a district should change from at large elections to trustee areas to comply with the VRA and to limit exposure to litigation costs over compliance.”*

Suzanne Carrig, Senior Research Analyst in the Center for Educational Planning department, spoke on the activities of the Santa Clara County Committee on School District Organization and answered questions.

b) Santa Clara County Board of Education Quarterly Expenses

Board members reviewed the quarterly expenses.

c) Santa Clara County Arts Education Initiative Update

Linda Aceves provided an overview of the arts education initiative and introduced Lilia Agüero and Aimée Ipson-Pflederer, Visual and Performing Arts Coordinators, who presented the progress around the Santa Clara County Arts Education Initiative. Lilia and Aimée answered questions from the Board.

d) Board Committee Reports

Craig Mann

- Attended the Budget Study Committee meeting

T.N. Ho

- Attended the Budget Study Committee meeting

e) County Board of Education Member Reports

Joseph Di Salvo

- Attended the Head Start self-assessment at Story Road #1 with Nadine Wilkens, Manager of Program Operations
- Attended the 6<sup>th</sup> District PTA luncheon where Superintendent Weis was keynote speaker. Kudos to all the work PTA does for students, teachers and schools in Santa Clara County.
- Met with Patricia Gonzalez, Manager of Discipline and Don McCloskey, Director of Student Services of the San Jose Unified School District to discuss their perception relative to the issues PACT raised.
- Attended a follow-up meeting with PACT after receiving answers to their questions/concerns from Dr. Cary Dritz.
- Attended the Role Model Luncheon.

Grace Mah

- Participated in the Sunnyvale Challenge Team meeting
- Attended the Adolescent Counseling Services (ACS) strategic planning meeting
- Attended the Monkey King school play at the Ohlone Elementary School in Palo Alto
- Attended a Santa Clara County School Board Association's meeting

Leon Beauchman

- Attended a PACT meeting
- Attended a San Jose Chamber of Commerce meeting
- Attended a Black History Month event by the Santa Clara County Alliance of Black Educators at the Mexican Heritage Plaza

Anna Song

- Attended a Santa Clara County School Board Association's meeting
- Attended an Asian Pacific School Board Members Association's meeting

d) County Superintendent's Report:

*Dr. Weis presented the following information relative to the activities of the Office:*

- *Forced Together, Growing Strong, Gilroy Dispatch, February 19, 2009*
- *Long-Awaited Audit of Tiny Luther Burbank Elementary School District Complete, Mercury News, February 20, 2009*
- *GUSD \$5 Million bond Payment in Jeopardy, Gilroy Dispatch, February 20, 2009*
- *Democracy and Education, San Jose Insider Blog, February 24, 2009*
- *Role Model Program Gets a High-Five from San Jose Sharks, Mercury News, February 25, 2009*
- *Santa Clara County School Boards Association's Annual Legislative Brunch, March 7, 9:00 a.m. to 12:00 noon, Mission College Hospitality Room*
- *Santa Clara County School Boards Association's Hoffman Awards dinner, April 22, 6:00 p.m., Michaels at Shoreline Blvd.*
- *Reported on school site visits*
- *Spoke to Lt. Governor John Garamendi @ Wyse Technology regarding educational issues*
- *Spoke to the Latino Trustees and Administrators of Silicon Valley at the home of Esau Herrera*
- *Spoke at the San Jose Silicon Valley Chamber's meeting on "Generational Savvy - What it means for Business and Education" at Adobe*
- *Presented the Board an update on the State Budget and how it will affect the SCCOE*

- Announced that Joe Fimiani's staff is working with the Franklin McKinley School District to design a community day school. SCCOE will provide technical assistance.
- Spoke regarding the property tax issue at Gilroy Unified School District – the Gilroy Board of Education will take action on May 5 to find a remedy.
- An investigation is moving forward on the anonymous letter regarding the possible fiscal irregularities in the East Side Union High School District

8. CLOSED SESSION

The Board adjourned into Closed Session at 10:00 p.m. to discuss Conference with Real Property Negotiator (Government code Section 54956.8)

**OPEN SESSION – 10:50 p.m.**

9. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

President Mann reported that, in the matter of Agenda Item 8, *Conference with Real Property Negotiator*, there were no reportable actions.

10. FUTURE AGENDA ITEMS

- Fiscal Oversight: AB139, AB1200 & AB2756
- Gang Prevention Efforts (March 18 – Mitchell & Fimiani)
- High School Dropout Prevention Planning
- Evaluation for Head Start Program & Standard Kindergarten Readiness (Fimiani & Trujillo)

11. ADJOURNMENT

The meeting was adjourned at 10:50 p.m.

Respectfully submitted,



Dr. Charles Weis, County Superintendent of Schools  
Ex-Officio Secretary

**RESOLUTION**  
**RECOGNIZING March 1-7, 2009 AS**  
**WEEK OF THE SCHOOL ADMINISTRATOR**

**SANTA CLARA COUNTY BOARD OF EDUCATION**

**RESOLUTION No. 2035-1**

**WHEREAS**, leadership matters for California’s public education system and the more than 6 million students it serves;

**WHEREAS**, school administrators are passionate, lifelong learners who believe in the value of quality public education, and

**WHEREAS**, the title “school administrator” is a broad term used to define many education leadership posts. Superintendents, assistant superintendents, principals, assistant principals, special education and adult education leaders, curriculum and assessment leaders, school business officials, classified educational leaders, and other school district employees are considered administrators; and

**WHEREAS**, providing quality service for student success is paramount for the profession; and

**WHEREAS**, public schools operate with lean management systems. Across the nation, public schools employ fewer managers and supervisors than most public and private sector industries including transportation, food service, manufacturing, utilities, construction, publishing and public administration; and

**WHEREAS**, school leaders depend on a network of support from school communities — fellow administrators, teachers, parents, students, businesses, community members, board trustees, colleges and universities, community organizations, elected officials and district and county staff and resources — to promote ongoing student achievement and school success; and

**WHEREAS**, the State of California has declared the first full week of March as the “Week of the School Administrator” in Education Code 44015.1; and

**WHEREAS**, the future of California’s public education system depends upon the quality of its leadership; and

**NOW, THEREFORE, BE IT RESOLVED** that the Santa Clara County Board of Education hereby proclaims the week of March 1-7, 2009, as the "Week of the School Administrator" in honor of the many outstanding contributions and services provided by the administrative teams in the Santa Clara County Office of Education; and

**BE IT FURTHER RESOLVED** that the administrators and confidential employees of the Santa Clara County Office of Education be commended for their support of and contributions to quality education in the county, region, and state.

**PASSED AND ADOPTED** by the Board of Education at a meeting held on March 4, 2009 by the following vote:

Ayes: President Mann, Vice President Song, members Beauchman, Howard, Mah, Ho and Di Salvo

Noes: -none-

Abstain: -none-

Absent: -none

Signed by:



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Charles Weis, Ph.D...  
County Superintendent of Schools



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Craig Mann, President  
Santa Clara County Board of Education

**RESOLUTION APPROVING THE COUNTYWIDE  
CHARTER PETITION OF MAGNOLIA SCIENCE  
ACADEMY-SANTA CLARA**

**SANTA CLARA COUNTY BOARD OF EDUCATION  
RESOLUTION NO: 2035-2**

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 Magnolia Science Academy – Santa Clara Countywide Charter School presented their Petition to establish three charter schools in three districts to the County Office of Education on December 12, 2008, and the County Board of Education held a public hearing on this matter on January 14, 2009; and

WHEREAS, the County Board of Education reviewed the Petition taking into consideration the testimony and documents submitted, including the Magnolia Science Academy-Santa Clara Charter Petition to the County Board of Education; the testimony presented at the public hearing; additional materials received from petitioners, and the review of County Office of Education staff; and

WHEREAS, the County Board of Education finds that the proposed charter schools will offer services to pupils, and that such pupils will benefit from those services; and

WHEREAS, the County Board of Education finds that the deficiencies identified by staff review can be corrected and incorporated into a contract with the petitioner;

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 the document entitled *MAGNOLIA SCIENCE ACADEMY-SANTA CLARA COUNTYWIDE CHARTER SCHOOL PETITION* presented to the County Board of Education dated December 12, 2008 to the extent consistent with the contract.
2. The charter is approved for an initial period of three years of school operation, commencing July 1, 2009 and continuing through June 30, 2012.

3. The County Board of Education directs the County Superintendent of Schools to negotiate a contract with Magnolia Science Academy-Santa Clara Charter School consistent with the Santa Clara County Office of Education Administrative Regulation 6234. Failure to successfully negotiate such a contract by June 4, 2009, shall be considered grounds for revocation of the charter.
4. Failure to meet the terms of the contract shall constitute grounds for the revocation of the charter.

Passed and adopted by the Santa Clara County Board of Education at a meeting held on this 4<sup>th</sup> day of March, 2009 by the following vote:

AYE: President Mann, and members Beauchman, Ho, and Mah

NO: Vice President Song and member Di Salvo

ABSTENTION: -none-

ABSENT: member Howard



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Charles Weis, Ph.D.  
County Superintendent of Schools

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Craig Mann, President  
Santa Clara County Board of Education