

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

APPROVED
Regular Meeting #2044
Board Room
August 12, 2009
5:00 p.m.

1. CALL TO ORDER

President Mann called the meeting to order at 5:00 p.m.

a. Roll Call

Trustees Present:

Grace Mah, Area 1
T.N. Ho, Area 2
Leon Beauchman, Area 3
Joseph Di Salvo, Area 4
Anna Song, Area 5
Craig Mann, Area 6
Jane Howard, Area 7

b. Pledge of Allegiance

President Mann asked newly hired, Dr. Lucretia Peebles, Director of Charter Schools, to lead the pledge of allegiance.

c. Adoption of Agenda

MOTION #2044-1 by member Beauchman that the agenda be adopted as submitted. Vice President Song seconded the motion and it carried 7-0.

2. CLOSED SESSION

The Board adjourned into Closed Session at 5:05 p.m. to hear the following items:

- a. Subject Matter: Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Mount Pleasant School District, Desired District: Alum Rock School District) Student A
- b. Subject Matter: Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Mount Pleasant School District, Desired District: Alum Rock School District) Student B
- c. Subject Matter: Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Sunnyvale School District, Desired District: Palo Alto Unified)

OPEN SESSION – 6:12 p.m.

Recess

The Board broke for recess at 6:12 p.m. and reconvened at 6:20 p.m.

3. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

President Mann reported out in the following order:

In the matter of Agenda Item 2.C *Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Sunnyvale School District, Desired District: Palo Alto Unified, there was a motion (#2044-2) by member Di Salvo and seconded by member Howard, to uphold the appeal for two school years based on Factor 2 “a substantial danger to the pupil’s health or safety.”*

In the matter of Agenda Item 2.A. *Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Mount Pleasant School District, Desired District: Alum Rock School District) Student A, there was a motion (#2044-3) by Vice President Song and seconded by member Di Salvo to uphold the appeal through 6th grade based on factor 3 “a specialized and specific academic program or service, unavailable in district of residence, but necessary to the pupil’s career or academic objectives.”* The motion carried 7-0.

In the matter of Agenda Item 2.B. *Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Mount Pleasant School District, Desired District: Alum Rock School District) Student B, there was a motion (#2044-4) by member Di Salvo and seconded by member Mah to uphold the appeal through 6th grade based on factor 12 “other exceptional or extraordinary circumstances which would weigh heavily in favor of the appellate pupil.”* The motion carried 7-0.

4. 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 concern on the new Alternative School site:

- John Malloy, People Acting in Community Together (PACT)
- Reverend April Lussier, PACT
- John Tweten, PACT
- Mia Tagano, PACT

Terri Balandra, Chair of Fiesta Lanes Action Group (FAIR) spoke about her concern on the incompatible land use between the Foundry School and SRO Sunol Ct Development.

5. CORRESPONDENCE

- California County Superintendents Educational Services Association (CCSESA) update on 'Relevant Facts re: Administrative Law Decision Before CALPERS Board on September 16, 2009.'
- Email dated August 9, 2009 from Terri Balandra, Chair of FAIR, regarding compatible land use between the Foundry School and SRO Sunol Ct Development

6. CONSENT ACTION ITEMS

- a) Request Approval of Minutes of Regular Meeting of July 15, 2009 (#2043)
- b) Request Approval of County Superintendent's Monthly Expenses
- c) Request Acceptance of Grant Award Notifications
- d) Request Approval of Purchase Order Exceeding \$100,000
- e) Request Approval of Purchase Order Exceeding \$100,000
- f) Request Approval of Purchase Order Exceeding \$100,000

MOTION #2044-5 by member Howard that the Board approve Consent Action Items A-D. Vice President Song seconded the motion and it carried 7-0.

MOTION #2044-6 by member Di Salvo that the Board approve Consent Action Item E. Member Beauchman seconded the motion and it carried 7-0.

MOTION #2044-7 by member Beauchman that the Board approve Consent Action Item 6.F. Vice President Song seconded the motion and it carried 7-0.

7. STUDY ACTION ITEMS

- a. Request Adoption of Resolution for Signature Authorizations on Contract Between the California Department of Education and the Santa Clara County Office of Education

Dr. Weis explained the resolution for Signature Authorizations on Contract between the California Department of Education and the Santa Clara County Office of Education.

MOTION #2044-8 by Vice President Song that the Board adopt the resolution for Signature Authorizations on Contract between the California Department of Education and the Santa Clara County Office. Member Howard seconded the motion and it carried 7-0.

Request Adoption of Resolution to Opt out of Zoning Ordinances to Establish a School

This item was tabled.

b. Request to Submit a Competitive Grant to the Health Trust Good Samaritan Grants

MOTION #2044-9 by member Mah that the Board approve the submission of a competitive grant to the Health Trust Good Samaritan Grants. Member Howard seconded the motion and it carried 7-0.

c. Request to Submit a Competitive Grant to the Aetna Foundation Regional Community Grants Program

Linda Aceves, Chief Academic Officer, answered questions from the Board.

MOTION #2044-10 by member Ho that the Board approve the submission of a competitive grant to the Aetna Foundation Regional Community Grants Program. Member Howard seconded the motion and it carried 7-0.

d. Request to Submit a Competitive Grant to the Abbott Fund Program

Ms. Aceves provided some background on the submission of the competitive grant to the Abbott Fund Program.

MOTION #2044-11 by member Mah that the Board approve the submission of a competitive grant to the Abbott Fund Program. Member Beauchman seconded the motion and it carried 7-0.

f. Approval to Revise FY2009-10 Budget to Incorporate American Recovery and Reinvestment Act Funds

Dr. Weis explained the one-time funding of the American Recovery and Reinvestment Act (ARRA) and answered questions from the Board.

MOTION #2044-12 by member Howard that the Board approve the revision to the FY2009-10 budget to incorporate the American Recovery and Reinvestment Act Funds. Member Beauchman seconded the motion and it carried 7-0.

g. Request Approval of Purchase Order Exceeding \$100,000

Dr. Weis provided an overview of purchase orders relating to the new special education school construction of the Santa Clara County Office of Education at Foothill High School (listed under Study Action Items G through L) and stated that he would be withdrawing his approval recommendation since the full funding is not yet available. The State Allocation Board has placed a freeze on school construction funds. Dr. Weis and Leslie Miles, of Weston/Miles Architects, answered questions.

MOTION #2044-13 by Vice President Song that the Board table Study Action Items G through L. Member Howard seconded the motion and it carried 7-0.

h. Request Approval of Purchase Order Exceeding \$100,000

This item was tabled.

i. Request Approval of Purchase Order Exceeding \$100,000

This item was tabled.

j. Request Approval of Purchase Order Exceeding \$250,000

This item was tabled.

k. Request Approval of Purchase Order Exceeding \$250,000

This item was tabled.

l. Request Approval of Purchase Order Exceeding \$250,000

This item was tabled.

m. Decision on Contract Renewal for School Innovations & Advocacy (SIA) –
Legislative Lobbyists

Dr. Weis introduced Kevin Gordon and Barrett Snyder from SIA. Mr. Gordon presented his SCCOE legislative advocacy services for 2008-09 and his proposed services for 2009-10 and answered questions. The Board instructed Dr. Weis to continue managing lobbyist contracts and recommended a bidding process for professional services.

Recess

The Board broke for recess at 8:11 p.m. and reconvened at 8:20 p.m.

8. INFORMATION / DISCUSSION ITEMS

a. Completed Grant Applications to the Administration for Children and Families

Dr. Weis explained that on July 17, 2009, the Board approved the submission of three competitive grants to the Administration for Children and Families (ACF). At that time, the applications were in draft form but are now presented in final form. Ana Trujillo, Director of Children's Services Department, answered questions from the Board.

b. First Reading of New and Revised Board Policies 6000 Instruction

Vice President Song presented the new and revised Board Policies 6000 Instruction. Dr. Cary Dritz, Deputy Superintendent, answered questions.

c. First Reading of Revised Board Policy on Personnel Report to Board Policy 4112

Vice President Song explained the revised Board Policy on Personnel Report to the Board – BP 4112

d. Quarterly Report for AR3423 (Sale of SCCOE Personal Property)

Dr. Weis gave a summary of the quarterly report for AR3423 and answered questions.

e. Williams Report

Dr. Weis reported on the Williams complaints, which were received during the April 1 through June 30 reporting period and answered questions from the Board.

f. Update on the Charter Schools Summit Planning

Member Di Salvo briefed the Board regarding previous planning meetings on the proposed charter schools summit.

g. County Committee on School Districts Organization

There were no reports on the County Committee on School Districts Organization.

e. Board Committee Reports

Dr. Weis

Budget Study Committee

- Announced an upcoming Budget Study Committee meeting for September 2

Anna Song

Policy Development Subcommittee

- Attended a Policy Development Subcommittee meeting prior to tonight's Board meeting

Joint Legislative Advisory Committee (JLAC)

- Thanked the Board for their discussion on SIA legislative services and emphasized the need for better communication avenues from SIA to Board members

Jane Howard

Santa Clara County Regional Occupational Program (SCCROP) Operations Committee

- Announced an upcoming meeting during the end of September

Grace Mah

Head Start Policy Council

- Attended a Head Start Policy Council meeting in July

Jane Howard

Joint Committee on Child Care (JCCC)

- Announced the upcoming August 19 meeting

Leon Beauchman

California County Boards of Education (CCBE) Board of Directors

- Announced the upcoming September 25-26 meeting

f. County Board of Education Member Reports

Joseph Di Salvo

- Attended the San Jose Jazz Festival
- Expressed his concern on the George Shirakawa letter cited in the Superintendent's Report

Grace Mah

- Participated in the National Senior Olympic Games at Stanford

Jane Howard

- Attended the Gilroy Garlic Festival

Leon Beauchman

- Attended Mike Honda's fund raiser for Representative John Lewis
- Attended Zoe Lofgren's Annual BBQ at History Park
- Attended the San Jose Jazz Festival
- Reported that the attorney for Bullis Charter School has contacted him about a deposition on his conversations with the Los Altos School District

Anna Song

- Attended a Democratic National Committee meeting in Idaho where she participated in charter school discussions

Craig Mann

- Provided an update on his teaching credentials
- Visited the 'King Tut and the Golden Age of the Pharaohs' exhibition in San Francisco
- Pointed out his response letter to an interdistrict transfer appeal parent whose recent appeal was denied

g. County Superintendent's Report:

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

- Letter dated August 5, 2009 to Dr. Weis from David Gordon, Sacramento County Superintendent and California County Superintendents Educational Services Association (CCSESA) President-Elect and Awards Committee Chair, congratulating Dr. Weis on receiving the 2009 Executive Leadership Award of CCSESA.
- Memo dated August 12, 2009 to Dr. Weis from Joe Fimiani, Chief Schools Officer, regarding Head Start Monthly Reports to the Board.
- Letter dated August 6, 2009 to Dr. Weis from George Shirakawa, Supervisor, District 2, regarding Mt. Pleasant Elementary School District – the SC Board of Education is copied on this letter
- Press Release, dated August 11, 2009, from Governor Schwarzenegger's Office of External Affairs regarding "Gov. Schwarzenegger Releases Free Digital Textbook Initiative Phase 1 Report"
- "Local CEOs Trade Boardroom for Stage," Los Gatos Weekly-Times, August 4, 2009
- "One Month Late, Luther Burbank School District Passes Budget," Mercury News, August 8, 2009
- "Resource Area for Teaching (RAFT) Opens Doors for Back-To-School Shopping," Mercury News, August 8, 2009

- Budget Update
- Personnel Commission
- Administrative Hires
- East Side Union High School District – Internal Auditor
- Draft Civil Grand Jury Response to “Who Really Benefits from Education Dollars?”
- Update on SCCOE’s school facilities
- Update on SJ2020_Draft
- Attendance & Enrollment for Community Schools – reports dated: July 22, 29 and August 5, 2009
- Champions for Leadership
- Seasonal Flu & Pandemic H1N1 Flu_Information for Parents: Fall 2009
- Personnel Commission Ad Hoc Subcommittee
- MACSA Update

9. CLOSED SESSION

The Board adjourned into Closed Session at 9:50 p.m. to discuss a “Public Employee Performance Evaluation” Title: County Superintendent of Schools
(Government Code Section 54957(b)(1) permits Boards to conduct a closed session for evaluation of performance of a public employee.)

OPEN SESSION – 9:58 p.m.

10. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

President Mann reported that, in the matter of Agenda Item 9, *Public Employee Performance Evaluation*, Title: County Superintendent of Schools there were no reportable actions.

9. FUTURE AGENDA ITEMS

- Gang Prevention – September 2
- Resolution for the Department of Peace and Non-Violence – September 2

10. ADJOURNMENT

The meeting adjourned at 9:58 p.m.

Respectfully submitted,



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

ca