

Agenda materials are available in the Superintendent's Office upon request. An asterisk (*) indicates agenda materials that are available in the Superintendent's Office.

Members of the public may address the Board of Education on any issue or any item on the agenda. If you wish to address the Board, please fill out the form provided for this purpose.

Individuals requiring special accommodations (American Sign Language interpreter, accessible seating, documentation in accessible formats, etc.) should contact the Superintendent's Office at least two working days before the meeting date.

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

AGENDA
Regular Meeting #2066
Board Room
October 6, 2010
5:00 p.m.

1. CALL TO ORDER
 - A. Roll Call (Including Action on Absences if Necessary)
 - B. Pledge of Allegiance
 - C. Adoption of Agenda

2. SCCOE EMPLOYEE RECOGNITION: Lorene Torres, Specialized Physical Health Care Assistant, Blackford Elementary School, Special Education

3. Dr. Weis will introduce Ken Shelton, newly hired Chief Business Officer

4. PUBLIC COMMENTS OF PERSONS DESIRING TO ADDRESS THE BOARD OR TO PRESENT PETITIONS
At this time members of the public may address the Board on any issue within the subject matter jurisdiction of the Board or agenda item. Members of the public may also address the Board on an agenda item before or during the Board's consideration of the item. No action can be taken on an item not on the agenda at this time, but may be referred to the administration or put on a future agenda. In accordance with Board Bylaw 8370, individual remarks will be limited to 3 minutes each, unless otherwise stipulated.

5. CORRESPONDENCE
*Correspondence addressed to the Santa Clara County Board of Education.
Correspondence addressed to individual board members will be mailed to them directly.*

6. CONSENT ACTION ITEM
 - * A. [Request Approval of Minutes of Regular Meeting of September 15, 2010](#) (#2065)

7. PUBLIC HEARING AND ADOPTION

- * A. [Public Hearing on 2010-11 Gann Appropriations Limit and Adoption of Resolution Establishing 2010-11 Gann Appropriations Limit](#)
On November 6, 1978, the voters of the State of California approved Proposition 4/Gann Initiative. This initiative added Article XIII-B to the State Constitution which has the effect of placing a limit on the amount of proceeds from taxes governmental entities may authorize for expenditure during each fiscal year. The 2009-10 Gann Appropriations Limit has been calculated using actual proceeds of taxes for comparison with the 2009-10 limit. The SCCOE is within the 2009-10 limit of \$102,395,089. The Calculations of 2009-10 and 2010-11 Gann Appropriations Limit have been available to the public for review for 15 days prior to the public hearing. The Board of Education is required to have a public hearing and then, adopt a resolution to establish our 2010-11 Gann Appropriations Limit. Administration recommends adoption of resolution establishing the 2010-11 Gann Appropriations Limit.

8. STUDY ACTION ITEMS

- * A. [Approval of Transfers from Reserves to Offset Program Deficits for Fiscal Year 2009-10](#)
At the end of FY2009-10, there were deficits in the Alternative Schools-Institutions and the Educational Technology (Ozone) program. Board approval is needed to initiate transfers to offset the deficits, using reserves from Fund 800 and Fund 920. Administration recommends approval of transfers from reserves to offset program deficits for fiscal year 2009-10.
- * B. [Adopt the Budget Revisions for the Period Ending August 31, 2010](#)
Administration recommends adoption of budget revisions.
- * C. [Accept the Monthly Financial Report for the Period Ending August 31, 2010](#)
Administration recommends acceptance of the monthly financial report.

CLOSED SESSION

9. The Board will hold a Closed Session to consider the following items:
- A. Hearing
Subject Matter: Expulsion Appeal Filed on Behalf of Student
(Resident District: San Jose Unified School District)
 - B. Hearing
Subject Matter: Interdistrict Transfer Appeal Filed on Behalf of Student
(Resident District: San Jose Unified School District
Desired District: East Side Union High School District)

C. 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: WILL START IMMEDIATELY FOLLOWING CLOSED SESSION

10. Report of actions taken in Closed Session

11. STUDY ACTION ITEMS

- * A. [Request Adoption of Resolution Supporting Measure A Santa Clara County Children's Health Protection](#)
Kathleen King, Executive Director of the Santa Clara Family Health Foundation has requested that the Santa Clara Board of Education consider supporting Measure A Santa Clara County Children's Health Protection. In order to create a sustainable funding source for the Healthy Kids program and prevent disenrollment, the Board of Supervisors unanimously approved placing a \$29 parcel tax on the ballot. If approved by two-thirds of Santa Clara County voters, the \$29 per parcel tax will generate \$13-\$14 million a year. Administration recommends adoption of the Resolution Supporting Measure A Santa Clara County Children's Health Protection.

- * B. [Request Adoption of Resolution Endorsing the Foothill-De Anza Community College District Educational Opportunity and Job Training Measure on the November 2, 2010 ballot](#)
Vice President Mah has requested that the Santa Clara County Board of Education consider adopting the resolution endorsing the Foothill-De Anza Community College District Educational Opportunity and Job Training Measure on the November 2, 2010 ballot. To protect essential instructional courses and educational programs and services, the Foothill-De Anza Community College District Board of Trustees voted unanimously to place Measure E on the November 2, 2010 ballot to provide stable local funding that the State cannot take away. Administration recommends adoption of the resolution.

- * C. [Request Adoption of the Santa Clara County of Education's Governance Handbook with Protocols](#)
The governance handbook is the result of board study sessions led by the California School Boards Association (CSBA) governance consultants Luan Rivera and Christopher Maricle in February 2007 and Spring/Summer 2010. Administration recommends approval of governance handbook with protocols.

- * D. [Request Approval of the Process and Authority to Secure Board Legal Counsel](#)
Board member Ho has requested to agendize the topic on the proper process to secure Board legal counsel advice. Currently, there is not a Board policy that allows any single Board member or the Board President to request Board legal counsel service. Our practice has been that the Board President has independently requested legal counsel on items that come before the Board. Member Ho requests that the Board either affirm the current practice or vote to create a policy and place an interim process in place.

12. INFORMATION ITEMS

- * A. [First Reading of New, Updated and Revised Board Policies: 0000 Philosophy, goals, Objectives & Comprehensive Plans; 1000 Community Relations; 3000 Business & Non-instructional Operations; 5000 Students; 6000 Instruction; 7000 Facilities](#)
The Policy Subcommittee and several staff policy review committees have reviewed the Santa Clara County Office of Education Board Policies and compared them with updated model policies developed by the California School Board Association (CSBA). Board Policies 0000, 1000, 3000, 5000, 6000 and 7000 are presented for a first reading.

- B. Board Committee Reports on:
Committee members may provide or report on recent committee activities.
 1. Budget Study Committee (*Dr. Charles Weis*)
 2. Policy Subcommittee (*Vice-President Mah*)
 3. Joint Legislative Advisory Committee (*member Beauchman*)
 4. Santa Clara County Regional Occupational Program (SCCROP) Operations Committee (*member Howard*)
 5. Head Start Policy Council (*member Ho*)
 6. Santa Clara County School Boards Association Executive Board (*President Song*)
 7. Joint Committee on Child Care (JCCC) (*member Howard*)
 8. California School Boards Association (CSBA) Delegate (*member Beauchman*)
 9. California County Boards of Education (CCBE) Board of Directors (*member Beauchman*)
 10. Juvenile Justice System Collaborative (JJSC) (*member Beauchman*)

- C. County Board of Education Member Reports
The members of the Board may give reports on any activities related to their duties as members of the Santa Clara County Board of Education.

- * D. [County Superintendent's Report](#)
The county superintendent will give reports on any activities related to his duties as the County Superintendent of Schools.

CLOSED SESSION

13. The Board will hold a Closed Session to consider the following item:
 - A. Conference with legal counsel – anticipated litigation (G.C. 54956.9(b))
 - One potential case

OPEN SESSION: WILL START IMMEDIATELY FOLLOWING CLOSED SESSION

14. Report of actions taken in Closed Session

15. FUTURE AGENDA ITEMS

Requested items by Board members may be addressed at this time.

- Champions for Leadership Program (Grace Mah)
- Branch Department Updates – January 2011 (Grace Mah)
- Civil Grand Jury Report on School District Consolidation (Joseph Di Salvo)
- Second Reading on Board Policies 0000, 1000, 3000, 5000, 6000, 7000 for the October 20, 2010 meeting (Grace Mah)
- First Reading on Board Policies 2000, 9000 for the October 20 meeting (Grace Mah)
- Second Reading on Board Policies 2000, 9000 for the November 3 meeting (Grace Mah)

16. ADJOURNMENT

The next Board of Education meeting is scheduled for October 20, 2010. For Board agendas and meeting minutes please see our Web site at www.sccoe.org.