

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

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

1. CALL TO ORDER

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

Dr. Maurice Ghysels introduced Damariz Reyes, Student Board Member for the 2010-2011 school year.

a. Roll Call

Members 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

Damariz Reyes, Student Board Member

b. Pledge of Allegiance

President Song asked Lorene Torres, recipient of the Employee Recognition, to lead the pledge of allegiance.

c. Adoption of Agenda

President Song requested to move Study Action 11.A. "*Request Adoption of Resolution Supporting Measure A Santa Clara County Children's Health Protection*" before Study Action Item 8.A. "*Approval of Transfers from Reserves to Offset Program Deficits for Fiscal Year 2009-10.*"

MOTION #2066-1 by member Mann that the Board adopt the agenda with requested change. Vice President Mah seconded the motion and it carried 7-0.

2. SCCOE Employee Recognition: Lorene Torres, Specialized Physical Health Care Assistant

Member Di Salvo introduced Lorene Torres, October's Employee of the Month. He noted Lorene's contributions, presented a plaque and an engraved pen in recognition of her work, and introduced Leslie Anido, a teacher in the Orthopedic Impairments program, who spoke about Lorene's contributions to children and the SCCOE.

Ms. Anido shared an audio recording of Lorene's former student, Sarah, which conveyed Sarah's appreciation of Lorene. A video of Lorene assisting children was also shared with the audience. Lorene thanked her colleagues for the recognition and said she was grateful for working at the SCCOE and that her students inspire her. Member Beauchman thanked Lorene for all her contributions to the children and SCCOE.

3. Dr. Charles Weis, County Superintendent of Schools, introduced Ken Shelton, newly hired Chief Business Officer. Mr. Shelton expressed his appreciation in being hired as the new Chief Business Officer and commented on the importance in serving the students.

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

Angie Cardoza, board candidate for Trustee Area 6, addressed the Board on behalf of a concerned citizen regarding contributions taken by Board members and in particular, member Mann she said.

5. CORRESPONDENCE

There was no correspondence.

6. CONSENT ACTION ITEMS

- a. Request Approval of Minutes of Regular Meeting of September 15, 2010 (#2065)

MOTION #2066-2 by Vice President Mah that the Board approve Consent Action Item 6.A. Member Mann seconded the motion and it carried 7-0. Student Board member Reyes abstained.

7. PUBLIC HEARING AND ADOPTION

- a. Public Hearing on 2010-11 Gann Appropriations Limit and Adoption of Resolution Establishing 2010-11 Gann Appropriations Limit

President Song opened the hearing for public comment. No one wished to address the Board or Dr. Weis.

Doug Coffman, Director of Internal Business Services, provided some background on the 2010-11 Gann Appropriations Limit and answered questions from the Board.

MOTION #2066-3 by member Beauchman to adopt the Resolution (#2066-1) establishing the 2010-11 Gann Appropriations Limit. Member Ho seconded the motion and it carried 6-0 with member Mann absent and Student Board Member Reyes voting yes.

11. STUDY ACTION ITEM

a. Request Adoption of Resolution Supporting Measure A, Santa Clara County Children's Health Protection

President Song introduced Kathleen King, Mayor of Saratoga and Executive Director of the Santa Clara County Children's Health Protection who briefed the Board on Measure A, which proposes a \$29 per year parcel tax that would generate \$13-14 million per year for 10 years to fund the "Healthy Kids" program in Santa Clara County. Ms. King answered questions from the Board.

MOTION #2066-4 by member Mann that the Board adopt the Resolution (#2066-2) supporting Measure A, Santa Clara County Children's Health Protection. Member Beauchman seconded the motion and it carried 7-0 with Student Board Member Reyes voting yes.

8. STUDY ACTION ITEM

a. Request Approval of Transfers from Reserves to Offset Program Deficits for Fiscal Year 2009-10

Mr. Coffman explained the request of transfers from reserves to offset program deficits for fiscal year 2009-10 and answered questions from the Board.

MOTION #2066-5 by member Howard to approve transfers from reserves in Fund 800 Support Services and Fund 920 Alternative Schools—Community Schools to offset deficits and balance revenues and expenditures in the referenced programs. Member Mann seconded the motion and it carried 7-0 with Student Board Member Reyes voting yes.

b. Adopt the Budget Revisions for the Period Ending August 31, 2010

MOTION #2066-6 by member Mann to adopt the budget revisions for the period ending August 31, 2010. Vice President Mah seconded the motion and it carried 7-0 with Student Board Member Reyes voting yes.

c. Accept the Monthly Financial Report for the Period Ending August 31, 2010

MOTION #2066-7 by member Mann to accept the monthly financial report for the period ending August 31, 2010. Member Di Salvo seconded the motion and it carried 7-0 with Student Board Member Reyes voting yes.

*(Student Board Member Reyes left the meeting.)*

9. CLOSED SESSION

The Board adjourned into Closed Session at 5:55 p.m. to hear 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 – 9:09 p.m.

10. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

President Song reported that, in the matter of Agenda Item 9.B. ,“Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: San Jose Unified School District, Desired District: East Side Union High School District)” the student’s representative withdrew appeal request based on the information revealed to them during the hearing.

President Song reported that, in the matter of Agenda Item 9.A., Expulsion Appeal Filed on Behalf of Student, Resident District: San Jose Unified School District, **MOTION #2066-8** was made by member Mann to uphold the appeal and seconded by President Song based on that insufficient evidence was adduced at the hearing to establish that Student caused or participated in an act of hate violence; intentionally engaged in harassment directed against a school pupil; and/or the Student disrupted school activities or willfully defied school employees. Accordingly, the Board also voted unanimously (**MOTION #2066-9** by member Ho, seconded by member Mann) to direct the district to expunge the record of expulsion.

President Song reported that, in the matter of Agenda item 9.C., Public Employee Evaluation, Title: County Superintendent of Schools, there were no reportable actions.

11. STUDY ACTION ITEMS

- 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

MOTION #2066-10 by member Mann to adopt the Resolution (#2066-3) endorsing the Foothill-De Anza Community College District Educational Opportunity and Job Training Measure. Vice President Mah seconded the motion and it carried 7-0.

- c. Request Adoption of the Santa Clara County Office of Education's Governance Handbook with Protocols

MOTION #2066-11 by Vice President Mah to adopt the Santa Clara County Office of Education's Governance Handbook with protocols. Member Howard seconded the motion and it carried 7-0.

- d. Request Approval of the Process and Authority to Secure Board Legal Counsel

Member Ho explained his agenda item request stating that BB8410 does not specify that the Board President can independently seek legal counsel on Board items. Board members deliberated and agreed to wait on hearing the First Reading of BB9124A–Attorney, which will be brought to the Board at the October 20 meeting. No action was taken on this agenda item.

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

President Song provided an introduction on the first reading of new, updated and revised Board policies. Member Ho thanked the Policy Committee members, and staff, for their work on the Board policies.

- b. Board Committee Reports

This item was deferred until the next meeting.

- c. County Board of Education Member Reports

This item was deferred until the next meeting.

- d. County Superintendent's Report:

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

- Letter from Frederick Hess, Stafford Palmieri and Janie Scull of Thomas B. Fordham Institute, dated September 23, 2010, thanking Dr. Weis for his response to their recent report entitled, 'America's Best (and Word) Cities for School Reform'
- Letter from President Anna Song, Santa Clara County Board of Education, on behalf of the Board to Frank Pugh, President of the California School Boards Association (CSBA), regarding the compensation for and actions of CSBA leadership
- Email from Vickie Ramos, Deputy Field Director of Preschool California, dated September 24, 2010, Subject: 'Our Thanks and Appreciation'
- Email from April Speck-Ewer, Sunnyvale parent, dated September 27, 2010, thanking Dr. Weis for hosting the 'Parent Engagement Fall Conference'
- Attendance & Enrollment for Community Schools: Period covering August 18 through September 15, 2010

13. CLOSED SESSION

The Board adjourned into Closed Session at 10:00 p.m. to hear the following item:

- Conference with legal counsel – anticipated litigations (G.C. 54956.9(b)) One potential case

OPEN SESSION

14. Report of actions taken in Closed Session

The following report was made by Mr. Orry Korb, Assistant County Counsel:

“There was no reportable action taken by the board, but the board has authorized me to disclose that, with regard to the allegation of a Brown Act violation, the board has directed the superintendent to schedule a special meeting on October 13, at 5:00 p.m., at which time the board will consider rescinding its action on item four of the agenda of its August 25, 2010 meeting and then reconsidering that same item.”

15. FUTURE AGENDA ITEMS

- Champions for Leadership Program (Grace Mah)
- Branch Department Updates – January 2011 (Grace Mah)
- 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 meeting adjourned at 10:40 p.m.

Respectfully submitted,



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

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