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

APPROVED
March 20, 2013
Minutes of Regular Meeting #2116
San Jose Room
5:00 p.m.

1. Call to Order
   a. Roll Call
      Member(s) Present:
      Grace Mah, Area 1
      Michael Chang, Area 2
      Leon Beauchman, Area 3
      Joseph Di Salvo, Area 4
      Anna Song, Area 5
      Julia Hover-Smoot, Area 7
   
   b. Adoption of Agenda

President Grace Mah stated that in addition to the items on the posted agenda, if the Board approves, there was another matter to be acted upon, which is a resolution accepting Ms. Darcie Green’s resignation that was filed on March 19, 2013 in the County Superintendent’s office. She explained that under California law, when a matter requiring immediate action comes to the attention of the Board after the agenda has been posted, although it was not included in the agenda, the matter may still be acted upon if two-thirds of the members of the Board, that are in attendance, agree. This item would become Item 5.5 on the March 20, 2013 agenda.

Member Song inquired why the Board had to accept the resignation of Ms. Green since this has not been the practice of the Board to accept board members’ resignations, and inquired on the need for an “immediate action” two-thirds vote when, according to member Song, it was not properly noticed to the public.

Thomas Morrell, attorney from Berliner Cohen, addressed member Song’s inquiries. Board members discussed the additional item to be placed on the agenda.

Mr. Christopher Stampolis, Trustee of Santa Clara Unified School District, addressed the Board regarding board communication not being disclosed to the public; taking action on Ms. Green’s resignation that is not purview to the Board; and Sharon Noguchi’s, reporter from the San Jose Mercury News, article regarding the Board’s action to vote or to elect for Trustee Area 6 on March 20, 2013 when this item was not posted on the agenda.

MOTION #2116-1 by member Beauchman that the Board approve placing the “Resolution Accepting Resignation of County Board of Education Member Darcie Green and Declaring a Vacancy” on the March 20, 2013 agenda as Item 5.5. Vice President Chang seconded the motion and it carried 5-1 with member Song voting no.
MOTION #2116-2 by member Hover-Smoot to adopt the agenda and adjourn the meeting in memory of Charlene Tieu, former manager of Lunch Stop. Member Di Salvo seconded the motion and it carried 6-0.

c. **Pledge of Allegiance**

President Mah asked Justin Thorne, recipient of the Student Recognition, to lead the pledge of allegiance.

*President Mah dedicated the meeting in memory of Charlene Tieu and called for a moment of silence.*

2. **Student Recognition: Justin Thorne, Live Oak High School—Morgan Hill Unified, Regional Occupational Program (ROP)**

President Mah introduced Justin Thorne, recipient of the SCCOE student recognition, and presented him with an iPod and a plaque in recognition of his achievements. President Mah introduced David Ravizza, Justin’s ROP instructor, who said having Justin was like having another teacher in the classroom and expressed how proud he was of him. Justin thanked his parents and Mr. Ravizza for their support.

3. **Public Comments of Persons Desiring to Address the Board or to Present Petitions**

There were no public comments.

CLOSED SESSION

4. The Board held a Closed Session to consider the following item:

   a. **Conference with Legal Counsel — Existing Litigation**

   *Name of Case: Santa Clara County Board of Education v. W. Weis, et al., Santa Clara County, Case No. 1-12-CV-237595*

   *Discussion of existing litigation pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9*

5. **Report of Actions Taken in Closed Session**

On the matter of Closed Session item 4A, President Mah reported that there were no reportable actions.

5.5 **Resolution Accepting Resignation of County Board of Education Member Darcie Green and Declaring a Vacancy**
Member Song made a public statement that she was not one of the complainers regarding the area lines in Trustee Area 6 and explained why she would be abstaining on the vote.

Ms. Green thanked the Board for having been given the opportunity to serve her community and said it was an honor to have served. She thanked Dr. De La Torre, SCCOE staff and the Board for all their support and for all they do for the students in Santa Clara County.

Board members chimed in and thanked Ms. Green for her work and dedication to students in Santa Clara County.

MOTION #2116-3 by member Hover-Smoot to adopt the resolution accepting resignation of Darcie Green as the board member representing Santa Clara County Board of Education Trustee Area 6, effective March 19, 2013 and declaring a vacancy. Vice President Chang seconded the motion and it carried 5-0-1 with member Song abstaining. (resolution attached)

6. Public Comments of Persons Desiring to Address the Board or to Present Petitions

No one wished to address the Board.

7. Correspondence

- Email, March 6, 2013, Craig Mann, Subject: March 6 Board Agenda, Item 12E Fiscal Year 2012-13 Budget Update
- Email, March 7, 2013, Joseph Di Salvo, Subject: Rocketship to Pursue Temporary Location for Tamien School for 2013-14
- Letter, March 8, 2013, Grace Mah, Letter to Julio Fuentes—City Manager of City of Santa Clara, Re: Appointment of Micaela Ochoa as primary representative to the Santa Clara RDA Successor Agency Oversight Board
- Letter, March 8, 2013, Dr. Xavier De La Torre, Letter to Dr. Christine Koltermann—Board President and Dr. Bobbie Plough—Superintendent of Santa Clara Unified School District, RE: Appointment of Micaela Ochoa as primary representative to the Santa Clara RDA Successor Agency Oversight Board

8. Superintendent’s Report

- Acknowledged Charlene Tieu
- Commented on the Local Control Funding Formula – Excess Property Taxes
- Met with Margot Grant, representative of Assembly Member Gordon on the Governor’s proposed budget
- Met with SCCOE Leadership Team members and announced the reorganization plan
- Met with school districts regarding Common Core
9. Consent Action Items
   a. Request Approval of Minutes of Special Board Meeting of February 27, 2013 (#2114-S2)
   b. Request Approval of Minutes of Regular Board Meeting of March 6, 2013 (#2115)
   c. Request Approval of Minutes of Special Board Meeting of March 6, 2013 (#2115-S1)
   d. Request Acceptance of Donations
   e. Request Approval of WestEd-E3 Contract for Child Signature Program

   MOTION #2116-4 by member Di Salvo to approve Consent Action Items 9A through 9E. Member Beauchman seconded the motion and it carried 6-0.

10. Action Item
   a. Request Adoption of Resolution Accepting Waiver and Indemnification Agreement Delivered by Rocketship Education

   Dr. Xavier De La Torre, County Superintendent of Schools, explained the resolution accepting waiver and indemnification agreement delivered by Rocketship Education.

   MOTION #2116-5 by member Song to adopt the resolution accepting waiver and indemnification agreement delivered by Rocketship Education. Member Beauchman seconded the motion and it carried 6-0.
   (resolution attached)

11. Information Items

   Dr. De La Torre introduced Ms. Nimrat Johal, Director of District Business and Advisory Services. Ms. Johal introduced Dr. Deborah Flores, Superintendent of Gilroy Unified School District and Board President Jaime Rosso. Ms. Johal presented the report on Gilroy Unified School District’s fiscal status and answered questions.

   Dr. Flores and Mr. Rosso thanked the Board and Dr. De La Torre for their continued support and commented on their district’s fiscal status.

   b. Annual Report to the Board: Rocketship Education

   Dr. De La Torre introduced Jessica Garcia-Kohl, Bay Area Director of Community Development—Rocketship Education. Ms. Garcia-Kohl and Ms. Joya Deutsch, Principal at Rocketship Discovery Prep, presented highlights from their annual report and answered questions.
c. **Annual Report to the Board: Leadership Public Schools—San Jose**

Dr. De La Torre introduced Dr. Louise Bay Waters, Superintendent and CEO of Leadership Public Schools (LPS). Dr. Waters introduced Ms. Vanessa Sifuentes, Principal at Leadership Public Schools—San Jose, who presented highlights from their annual report. Ms. Sifuentes and Dr. Waters answered questions from the board.

d. **Santa Clara County Office of Education 2012-13 Second Interim Financial Report**

Dr. De La Torre introduced Ms. Micaela Ochoa, Chief Business Officer, who presented the 2012-13 Second Interim Financial Report and answered questions.

e. **Gates Charter Compact Update**

Don Bolce, Director of Special Projects, gave an update on the Gates Charter Compact and answered questions from board members.

f. **SJ/SV 2020 Presentation at the NSBA April 2013 Conference**

Board member Joseph Di Salvo introduced the SJ/SV 2020 presentation that will be given at the NSBA April 2013 conference and Mr. Bolce provided an overview of the planned session.

g. **First Reading of Revised Board Policy 3260 Fees and Charges**

Dr. De La Torre introduced the first reading of revised Board Policy 3260 Fees and Charges and Ms. Linda Aceves, Chief Schools Officer, explained the revision to BB3260 that reflects the new law (AB 1575).

h. **First Reading of Revised Board Bylaw and Exhibit 9323.2 Actions by the Board**

Ms. Toni Cordova, Chief Strategy Officer, explained the revision to Board Bylaw and Exhibit 9323.2 Actions by the Board.

i. **County Board of Education Member Reports**

Julia Hover-Smoot
- Attended a People Acting in Community Together (PACT) meeting

Joseph Di Salvo
- Attended a Santa Clara County Universal Preschool (SCCUP) meeting to plan for the upcoming Universal Preschool Committee meeting
Anna Song
- Expressed her appreciation of Charlene Tieu

Leon Beauchman
- Expressed his appreciation of Charlene Tieu

Michael Chang
- Expressed his appreciation of Charlene Tieu

Grace Mah
- Attended Los Altos School District (LASD) board meetings

12. FUTURE AGENDA ITEMS
- Series of Strategic Planning Process Workshops, April 3 (Dr. De La Torre)
- Charter School White Paper, April 3 (President Mah)
- Equal Opportunity Schools, April 3 (Member Di Salvo)
- Educare Update, April 3 (Dr. De La Torre)
- Vision Council – Zero Tolerance for Suspension, April 17 (Member Di Salvo)
- Silicon Valley Index Presentation, May 1 (Member Beauchman)
- Nutritional Services at SCCOE Schools, May 15 (President Mah)
- Dropout Recovery on SCCOE Students, May 15 (President Mah)

13. ADJOURNMENT

The meeting adjourned at 11:04 p.m. in memory of Charlene Tieu.

Respectfully submitted,

Dr. Xavier De La Torre, County Superintendent of Schools
Ex-Officio Secretary

:ca