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

   No one wished to address the County Board of Education or the County Superintendent of Schools.

**CLOSED SESSION**

2. **The Board convened into Closed Session to hear the following items:**

   A. **Hearing**
      Subject Matter: Inter-District Transfer Appeal Filed on Behalf of Student
      Resident District: Scotts Valley Unified School District (Santa Cruz County)
      Desired District: Palo Alto Unified School District

   B. **Conference with Legal Counsel – Anticipated Litigation**
      *Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (One potential case)*

   C. **Conference with Real Property Negotiator (Government Code Section 54956.8)**
      Negotiator: Lozano Smith Attorneys at Law
      Property: 38 N. Almaden Blvd #1800, San Jose, CA 95110

3. **Report of actions taken in Closed Session**

   In the matter of Closed Session Item 2.A., Inter-District Transfer Appeal Filed on Behalf of Student, President Di Salvo reported that a motion (#2105-1) was made by member Song and seconded by member Mah to deny the appeal based on: Factor 12 *Other exceptional or extraordinary circumstance, which would weigh heavily in favor of the affected school district.* Vote carried 5-1 with member Hover-Smoot voting no.

   In the matter of Closed Session Item 2.B., Conference with Legal Counsel – Anticipated Litigation, President Di Salvo reported that there were no reportable actions.

   In the matter of Closed Session Item 2.C., Conference with Real Property Negotiator, President Di Salvo reported that the Board has directed counsel to explore all legal options open to the Board.
4. 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

Member Song requested to have Information Item 12.B. pushed back on the agenda if at the time of this item Mr. Chris Stampolis was not present to address the item.

MOTION #2105-2 by member Beauchman that the Board approve the agenda with request by member Song. Member Chang seconded the motion and it carried 6-0.

C. Pledge of Allegiance

President Di Salvo asked Mr. Brian O’Halloran, Volunteer at Washington School, to lead the pledge of allegiance.

5. Acceptance of Donations to fit for learning™ program

The presenter of the donation to the fit for learning™ program, Carl Guardino, President/CEO of Silicon Valley Leadership Group, was not present during the time of this item since the estimated time of the item was pushed back due to Closed Session items running longer than expected. Mr. Guardino had to leave the meeting due to other previous commitments. President Di Salvo extended his apologies to Mr. Guardino. This item will be revisited in October.

6. Teachers of the Year Recognition

Board President Di Salvo and Dr. Xavier De La Torre, County Superintendent of Schools, introduced the SCCOE Teachers of the Year for 2012 – Guadalupe Moctezuma, San Jose Head Start and Jessica Davis, Discovery Charter School. They spoke of Guadalupe’s and Jessica’s accomplishments, invited them to the podium, and presented them with a plaque, a Barnes & Noble gift certificate and an orchid plant in recognition of their contributions. Guadalupe and Jessica expressed their gratitude and thanked the Board for the recognition.
7. **Public Comments**

Mr. Bret Bymaster, Tamien Community member, addressed the Board regarding Information Item 12.A. “Discussion on Guideline for Considering a Charter School Zoning Exemption Request.” He spoke about the CEQA process and thanked the Board for community input on the process.

Mr. John Schacter, from The Teaching Doctors, referred to Sharon Noguchi’s article, dated September 19, 2012, titled “Expensive Loan Lesson” regarding Dr. Charles Weis’ home loan. He addressed his concern about taxpayers having to take the cost of Dr. Weis’ loan obligation.

8. **Correspondence**

- Email, Eric Lundberg, September 5, 2012, Subject: Financial Review and Oversight of Bullis Charter School
- Email, Serge Bonte, September 7, 2012, Subject: Your decision to not appoint a representative to the BCS Board of Directors
- Letter, August 30, 2012, Received on September 7, 2012, RE: Rocketship #8 at the Tamien Site — 86 individuals supplied the same letter with their own signature (sample letter attached)
- Email, Jim Stuebner, September 10, 2012, Subject: Nominating a representative to the BCS Board
- Email, member Grace Mah, September 10, 2012, Subject: Placement of the Tamien Site for RS8
- Email, Cristina Schryver, September 19, 2012, Subject: Charles Weis condo
- Email, Lynn Hsu, September 19, 2012, Subject: Charles Weis’ property
- Email, Elsa Dinis-McVeigh, September 19, 2012, Subject: Superintendent condo
- Email, Pearl Tea, September 19, 2012, Subject: Former School Chief wants SCCOE to take over loan
- Email, Brian McQueen, September 19, 2012, Subject: Say no to Charles Weis’ request to transfer condo to taxpayers
- Email, Mary Kumar, September 20, 2012, Subject: Charles Weis’ request to transfer the financial obligations of his condo
- Email, Carrie Levin, September 19, 2012, Subject: Do not accept transfer of Charles Weis’ condo – make him accountable

9. **Superintendent’s Report**

- Introduced Ms. Toni Cordova, Chief Strategy Officer, and provided a brief background on Ms. Cordova
- Announced College Day (countywide college going effort), September 27 @ 9:00 a.m. at San Jose State University
• Announced that the Early Learning Services Branch has collaborated with ‘WestEd’ and ‘Partnership for School Readiness’ to provide training to representatives of 10 school districts on the new school state readiness assessment tool

• Announced the upcoming annual National School Boards Association (NSBA) conference on April 13-15, 2013 at the San Diego Convention Center. The SCCOE workshop proposal, on SJ2020, has been accepted as a presentation at the conference.

• Former County Board Member, Craig Mann, will be recognized for his years of service at the October 3 board meeting

10. Consent Action Items

A) Approval of Minutes of Regular Board Meeting of September 5, 2012 (#2104)

MOTION #2105-3 by Vice President Hover-Smoot to approve Consent Action Item 10.A. Member Beauchman seconded the motion and it carried unanimously.

11. Action Items

* A. Consider Approval of Contract Exceeding $250,000
   Action Items A through I relate to the same new construction at SCCOE’s Special Education program in August Boeger Middle School. This contract will cover general trades.

   This item was pulled from the agenda.

* B. Consider Approval of Contract Exceeding $250,000
   This contract will cover concrete.

   This item was pulled from the agenda.

* C. Consider Approval of Contract Exceeding $250,000
   This contract will cover mechanical and plumbing.

   This item was pulled from the agenda.

* D. Consider Approval of Contract Exceeding $250,000
   This contract will cover electrical.

   This item was pulled from the agenda.

* E. Consider Approval of Contract Exceeding $250,000
   This contract will cover grading and paving.

   This item was pulled from the agenda.
* F. **Consider Approval of Contract Exceeding $250,000**
   *This contract will cover underground utilities.*

   This item was pulled from the agenda.

* G. **Consider Approval of Contract Exceeding $100,000**
   *This contract will cover roofing.*

   This item was pulled from the agenda.

* H. **Consider Approval of Contract Exceeding $100,000**
   *This contract will cover fire sprinklers.*

   This item was pulled from the agenda.

* I. **Consider Approval of Contract**
   *This contract will cover painting.*

   This item was pulled from the agenda.

J. **Announce the Intent to Appoint Mr. Nicholas R. Gervase to the Santa Clara County Office of Education Personnel Commission for the Term December 1, 2012 – November 30, 2015**

   Mr. Philip Gordillo, Executive Director of Classified Personnel Services, provided a brief background on Mr. Gervase and Mr. Gervase expressed his contentment and gratitude in serving on the commission.

   MOTION #2105-4 by member Song to announce the intent to appoint Mr. Nicholas R. Gervase to the Santa Clara County Office of Education Personnel Commission for the term December 1, 2012 to November 30, 2015. Vice President Hover-Smoot seconded the motion and it carried unanimously.

12. **Information Items**

   A. **Discussion on Guidelines for Considering a Charter School Zoning Exemption Request**

   Dr. De La Torre introduced Dr. Lucretia Peebles, Director of Charter Schools Department, who reviewed highlights of the draft guidelines for considering a charter school zoning exemption request.
The following individuals addressed the Board on the guideline policies and provided input on the process:

- Deborah Tolomeo, self
- Jessica Garcia-Kohl, Rocketship Education
- Brian O’Halloran, Volunteer at Washington School

Board members provided comments and suggestions on the draft guidelines and requested a workshop on the guidelines for a future meeting.

CHANGE IN AGENDA

C. Superintendent’s Performance Evaluation Instrument

Dr. De La Torre provide a summary of his evaluation instrument and explained the process.

Board members presented their thoughts on the County Superintendent’s evaluation process and requested a discussion, in October, on their top two or three priorities for 2012-2013 that could be incorporated into Dr. De La Torre’s goals.

The Board broke for recess at 8:45 p.m. and reconvened into Open Session at 8:53 p.m.

B. Discussion on How the County Board of Education Can Convene and Create a Dialogue with Community College Trustees

Member Song presented some key points on behalf of Chris Stampolis, Board Trustee, West Valley-Mission Community College District, to the County Board of Education since Trustee Stampolis was not able to attend the County Board’s meeting. First, Trustee Stampolis requested that the County Board of Education visit this item again after the statewide California Community College Trustees meeting in Sacramento that will be taking place later this month. Secondly, Trustee Stampolis wanted the County Board of Education to know that community colleges do not have a convener for community college trustees or chancellors and was looking to the County Board of Education to fill in that gap. Lastly, Trustee Stampolis asked if the Board President would consider in appointing a task force to discuss what convening might look like with community college trustees.
D. **Board Committee Reports**

Julia Hover-Smoot
- Attended a Policy Development Subcommittee meeting
- A Joint Legislative Advisory Committee meeting has been requested for November 7
- Attended a California County Boards of Education (CCBE) conference in Monterey, CA on September 14-16, 2012

Leon Beauchman
- Attending a California County Boards of Education (CCBE) conference in Monterey, CA on September 14-16, 2012

Grace Mah
- Attending a California County Boards of Education (CCBE) conference in Monterey, CA on September 14-16, 2012

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

Grace Mah
- Attended the grand opening of McCollum School (Special Education)

Michael Chang
- Attended an Alum Rock Board meeting where interviews for an appointment to their Board was being held
- Met with Javier González, Member, Democratic Party County Central Committee
- Announced an upcoming meeting with Santa Clara County Supervisor George Shirakawa

Joseph Di Salvo
- Met with Xavier Campos—Councilmember, City of San Jose
- Announced an upcoming meeting with Santa Clara County Supervisor George Shirakawa

13. **Future Agenda Items**

- Alternative Education Update, November 7 (Joseph Di Salvo)
- Early Childhood Education Update, November 7 (Joseph Di Salvo)
- Foster Youth Update, First Quarter in 2013 (Joseph Di Salvo)
14. ADJOURNMENT

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

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

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