

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

APPROVED
October 16, 2013
Minutes of Regular Meeting #2128
San Jose Room
5:30 p.m.

1. Call to Order

a. Roll Call

Member(s) Present:

Grace Mah, Area 1
Michael Chang, Area 2
Joseph Di Salvo, Area 4 (*arrived at approximately 5:40 p.m.*)
Anna Song, Area 5
Darcie Green, Area 6
Julia Hover-Smoot, Area 7

Member(s) Absent:

Leon Beauchman, Area 3

b. Adoption of Agenda

MOTION #2128-1 by Member Hover-Smoot to adopt the agenda as submitted. Member Song seconded the motion and it carried 5-0-2 with members Di Salvo and Beauchman absent.

c. Pledge of Allegiance

President Mah asked Philip Gordillo, Executive Director of Human Resources, to lead the pledge of allegiance.

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

No one wished to address the Board.

3. Closed Session

(Member Di Salvo arrived at approximately 5:40 p.m.)

The Board held a Closed Session to consider the following items:

- a. Subject Matter: Expulsion Appeal Filed on Behalf of Student
Resident District: Berryessa Union School District

- b. Conference with Legal Counsel—Existing Litigation (Government Code Section 54956.9(d)(1))
San Jose Unified School District v. Santa Clara County Office of Education, et al.,
Santa Clara County Superior Ct. Case No. 113CV241695
- c. Public Employee Performance Evaluation
Title: County Superintendent of Schools

4. Report of Actions Taken in Closed Session

President Mah reported that in the matter of Closed Session Item 3A, member Song made a motion (#2128-2) to uphold the expulsion appeal since the District failed to hold an expulsion hearing within the 30-day timeframe required by Education Code 48918. The County Board directs the District Governing Board to expunge any references to the expulsion from the student's record as well as the District's record. Member Green seconded the motion and it carried 6-0-1 with member Beauchman absent.

President Mah reported that in the matter of Closed Session Item 3B and 3C, there were no reportable actions.

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

No one wished to address the Board.

6. Correspondence

- Email, Blanca Alvarado, Sept 30, 2013, Subject: Alpha-Blanca Alvarado Middle School Application
- Email, Matt Hammer, Sept 30, 2013, Subject: Please support Alpha's petition
- Email, Christina Aronen, Sept 30, 2013, Subject: Questions from Communitas parents
- Email, Frank Chavez, Oct 1, 2013, Subject: Alpha 2 Middle School
- Email, Craig Mann, Oct 2, 2013, Subject: ALPHA: the real issue in question is ...
- Email, Joseph Di Salvo, Oct 5, 2013, Subject: Letter to CUHSD
- Email, Dave Cortright, Oct 5, 2013, Subject: Two things regarding BCS
- Email, Julia Hover-Smoot, Oct 7, 2013, Subject: RE: Two things regarding BCS
- Email, Serge Bonte, Oct 8, 2013, Subject: Santa Clara Office of (Public or Private Entities) Education?

7. Superintendent's Report

- Attended a Corporation for Education Network Initiatives in California (CENIC) Board of Directors meeting,— Dr. De La Torre is on the Board of Directors
- Co-chaired the Hispanic Foundation Ball
- Presented at the K12 Education Congress event
- Presented at the Center for Quality Leadership event
- Met with Santa Clara County Charter School leaders
- Invited the Board to join him on a visit to Navigator Charter School

8. Consent Action Items

- a. Request Approval of Minutes of Regular Board Meeting of October 2, 2013 (2127)
- b. Request Approval to Accept Grant Award Renewal from the Sobrato Family Foundation
- c. Request Approval of LEA End of Year Evidence of Progress Update
- d. Acceptance of Donations

MOTION #2128-3 by member Song to approve Consent Action Items 8A through 8D. Member Di Salvo seconded the motion and it carried 6-0-1 with member Beauchman absent.

9. Public Hearing and Action

- a. Public Hearing and Request Adoption of Resolution Regarding Sufficiency of Textbooks and Instructional Materials

President Mah opened the hearing for public comment. No one wished to address the Board.

MOTION #2128-4 by member Hover-Smoot to adopt the resolution regarding sufficiency of textbooks and instructional materials. Vice President Chang seconded the motion and it carried 6-0-1 with member Beauchman absent.

10. Action Items

- a. Adoption of Resolution for Moreland School District for Exception to the 180-Day Wait Period (Government Code 7522.56)

MOTION #2128-5 by member Hover-Smoot to adopt the resolution for Moreland School District for Exception to the 180-Day Wait Period. Member Di Salvo seconded the motion and it carried 6-0-1 with member Beauchman absent.

- b. Request Approval of Contract Exceeding \$250,000

Mr. Gordillo answered questions from board members.

MOTION #2128-6 by member Hover-Smoot to approve the contract exceeding \$250,000. Member Di Salvo seconded the motion and it carried 5-0-1-1 with member Green abstaining and member Beauchman absent.

11. Information Items

- a. Migrant Education

Dr. Angelica Ramsey, Chief Academic Officer, introduced Veronica Ramos, Director III of Migrant Education and Gerry Lopez, Manager of Migrant Education. Ms. Ramos and Mr. Lopez presented an update on the migrant education program and answered questions from board members.

b. Common Core Implementation Funds Plan

Dr. Ramsey provided an overview of the Common Core Implementation Funds Plan.

c. Strategic Plan 2013-16

Toni Cordova, Chief Strategy Officer, presented a progress report on the Strategic Plan with the current status for each objective.

d. Board Committee Reports

Dr. Xavier De La Torre

- Announced an upcoming Budget Study Committee meeting, Nov 25

Michael Chang

- Attended a Policy Development meeting (Oct 16) and informed the Board of upcoming policies that will be brought to the Board for first reading

Joseph Di Salvo

- Announced an upcoming Joint Legislative Advisory Committee (JLAC) meeting, Dec 11
- Announced an upcoming Warmenhoven Inclusion Collaborative meeting, date to be determined

Grace Mah

- Attended a Head Start Policy Council meeting, Oct 15

Darcie Green

- Announced an upcoming November meeting of the Santa Clara County School Boards Association (SCCSBA) where she will be speaking about the Universal Preschool efforts
- Announced the upcoming Tri-County dinner sponsored by SCCSBA, Oct 30

Julia Hover-Smoot

- Attended the executive meeting of the California County Boards of Education meeting, Sept 27-29

e. County Board of Education Members Report

Darcie Green

- Attended a Somos Mayfair luncheon, Oct 17
- Announced an upcoming Alum Rock Community event on the Local Control Funding Formula (LCFF), Oct 29
- Attended the Anti-Bullying Symposium at the Santa Clara County Office of Education, Oct 14

Joseph Di Salvo

- Announced his upcoming attendance to the Campbell Union High School District (CUHSD) Board meeting – member Di Salvo will address the issue of CUHSD not accepting credits from former students of Communitas Charter School
- Announced an upcoming Warmenhoven Inclusion Collaborative meeting — date to be determined
- Met with Supervisor Cindy Chavez, Santa Clara County Board of Supervisors—District 2 to discuss a February 2014 meeting between the Santa Clara County Board of Supervisors and the Santa Clara County Board of Education

14. FUTURE AGENDA ITEMS

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

- Discussion on Strategic Plan with Respect to Serving Districts and Supporting Charter Schools, Oct 19, Special Board Meeting, 8:30 – 11:30 a.m. (Member Green)
- Charter Schools Study Workshop, Oct 19 Special Board Meeting, 8:30 – 11:30 a.m.,
- Update on Legislative Climate, Dec 11 (Member Green)
- Strategic Plan Progress 2013-16, Dec 11
- Quarterly Update on Universal Preschool, Nov 13 (Member Green)
- Alternative Education Department (AED) Academic and Counseling Resources Over Weekends, Nov 13 (Member Di Salvo)
- Project Cornerstone Presentation, Nov 13 (Member Beauchman)
- Update on Revolution Foods, Jan 15 (Member Di Salvo)
- SCCOE Comparability Study, Nov/Dec (President Mah)
- Consolidation of School Districts, Jan 15 (Member Beauchman)
- Follow-Up on \$55M Bond Funds for Special Education Sites, Nov 13 (Member Di Salvo)
- Presentation on Rotary Club of San Jose Play Ground (Member Di Salvo)
- STRIVE and Collective Impact (Member Di Salvo)

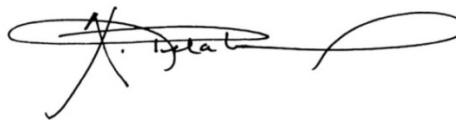
Requested Item:

- Update on Memorandum of Understanding on Alpha Middle School 2 (Member Green)

15. Adjournment

The meeting adjourned at 10:58 p.m.

Respectfully submitted,



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

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RESOLUTION REGARDING THE SUFFICIENCY
OF TEXTBOOKS AND INSTRUCTIONAL MATERIALS
ALTERNATIVE EDUCATION AND SPECIAL EDUCATION DEPARTMENTS

RESOLUTION NO. 2128-1

WHEREAS, the governing board of the Santa Clara County Board of Education, in order to comply with the requirements of Education Code 60119, held a public hearing on October 16, 2013 at approximately 6:00 p.m., which is on or before the eighth week of school and which did not take place during or immediately following school hours; and

WHEREAS, the governing board provided at least ten days' notice of the public hearing posted in at least three public places within the county that stated the time, place, and purpose of the hearing; and

WHEREAS, the governing board encouraged participation by parents, teachers, members of the community, and bargaining unit leaders in the public hearing; and

WHEREAS, information provided at the public hearing and to the governing board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the district/county office of education; and

WHEREAS, the definition of "sufficient textbooks or instructional materials" means that each pupil has a textbook or instructional materials, or both, to use in class and to take home; and

WHEREAS, sufficient textbooks and instructional materials were provided to each student, including English learners, in mathematics, science, history-social science, and English/language arts, including the English language development component of an adopted program, consistent with the cycles and content of the curriculum frameworks; and

WHEREAS, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes; and

WHEREAS, sufficient laboratory science equipment was provided for science laboratory classes offered in grades 9-12, inclusive;

THEREFORE, BE IT RESOLVED that for the 2013-2014 school year, the Santa Clara County Office of Education has provided each pupil in the Alternative Education and Special Education Departments with sufficient textbooks and instructional materials consistent with the cycles and content of the curriculum frameworks.

PASSED AND ADOPTED by the Santa Clara County Board of Education at its meeting on October 16, 2013.

AYES: President Mah, Vice President Chang, members Song, Hover-Smoot, Di Salvo and Green

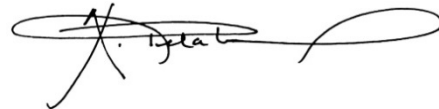
NOES: -none-

ABSTAIN: -none-

ABSENT: member Beauchman



Grace Mah, President
Santa Clara County Board of Education



Xavier De La Torre, Ed.D.
County Superintendent of Schools



RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD FOR RETIRED
EMPLOYEES RETURNING TO EMPLOYMENT BASED ON THE MORELAND
SCHOOL DISTRICT'S BOARD OF EDUCATION'S CERTIFICATION THAT
THE NATURE OF EMPLOYMENT AND APPOINTMENT IS NECESSARY TO FILL A
CRITICALLY-NEEDED POSITION BEFORE THE 180-DAY SEPARATION PERIOD

SANTA CLARA COUNTY BOARD OF EDUCATION
RESOLUTION No. 2128-2

WHEREAS, in compliance with Government Code section 7522.56 the Santa Clara County Office of Education must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Jean Lian, retired from Moreland School District in the position of Payroll Technician, effective September 25, 2013; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is March 24, 2014 without this certification resolution; and

WHEREAS, section 7522.56 provides that this exception to the 180 day wait period shall not apply if the retiree accepts a retirement incentive; and

WHEREAS, the Santa Clara County Office of Education, the Moreland School District and Jean Lian certify that Jean Lian has not and will not receive a Golden Handshake or any other retirement incentive; and

WHEREAS, the entire employment agreement, contract or appointment document between Jean Lian and the Moreland School District has been reviewed by this body and is attached herein; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, the maximum base salary for this position is \$15,086 and the hourly equivalent is \$43.85, and

WHEREAS, the hourly rate paid to Jean Lian will be \$43.85 hourly rate; and

NOW, THEREFORE, BE IT RESOLVED, that the Santa Clara County Office of Education hereby certifies the nature of the appointment of Jean Lian as described herein and detailed in the attached employment agreement/contract/appointment document and that this appointment is necessary to fill the critically needed position of Payroll Technician for the Moreland School District by October 1, 2013 because the Moreland School District has no staff to train new Payroll Technicians and efforts to find alternative trainers has been unsuccessful.

PASSED AND ADOPTED by the Board of Education at a meeting held on October 16, 2013, by the following vote:

AYES: President Mah, Vice President Chang, members Song, Hover-Smoot, Di Salvo and Green

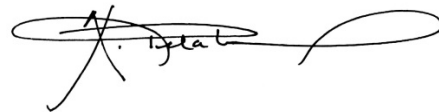
NOES: -none-

ABSTAIN: -none-

ABSENT: member Beauchman



Grace Mah, President
Santa Clara County Board of Education



Xavier De La Torre, Ed.D.
County Superintendent of Schools