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

UNAPPROVED
Board Agenda
October 1, 2014
Regular Meeting #2146
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  *(arrived at approximately 5:20 p.m.)*
   Leon Beauchman, Area 3
   Joseph Di Salvo, Area 4
   Anna Song, Area 5
   Darcie Green, Area 6
   Julia Hover-Smoot, Area 7

   MOTION #2146-1 by member Vice President Green to excuse member Chang from the September 17, 2014 regular meeting. Member Song seconded the motion and it passed 6-0-1 with member Chang absent.

   b. Adoption of Agenda

   MOTION #2146-2 by member Hover-Smoot to adopt the agenda as submitted. Member Mah seconded the motion and it passed 6-0-1 with member Chang absent.

   c. Pledge of Allegiance

   President Beauchman asked Carol Snow, recipient of the Employee of the Month recognition, to lead the pledge of allegiance.

2. Employee of the Month Recognition

   Vice President Green introduced Carol Snow, October’s Employee of the Month. She noted Carol’s contributions, presented a plaque and an engraved pen in recognition of her work. Vice President Green introduced Karen Reasoner, School Psychologist, who spoke about Carol’s energetic, uplifting and student focused attitude and also stated that Carol creates an atmosphere of unity. Carol spoke about her admiration for her students and colleagues and thanked the Board for the recognition.
3. Public Comments of Persons Desiring to Address the Board

No one wished to address the Board.

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

A. Conference with Legal Counsel—Potential Litigation (Government Code § 54956.9(d) (4) (one case))

B. Conference with Legal Counsel—Existing Litigation (Government Code § 54956.9(d)(1))
   6th Appellate District No. H041088 (Appeal from Superior Court Case No. 113CV241695)

C. Conference with Legal Counsel—Existing Litigation (Government Code § 54956.9(d)(1))
   Alum Rock Union Elementary School District et. al. v. Santa Clara County Board of
   Education Superior Court Case No. 114CV260070

5. Report of Actions taken in Closed Session

In the matter of Closed Session Items 4A through 4C, President Beauchman reported that there were no reportable actions.

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

There were no public comments.

7. Correspondence

- Email, September 12, 2014, Serge Bonte, Subject: Spark Charter School appeal
- Email, September 14, 2014, Dave Cortright, Subject: Bullis Charter School illegally claims copyright on works created by a public institution
- Email, September 17, 2014, Laura Stuchinsky, Subject: Research on K-8 Schools

President Beauchman shared his personal correspondence from the Double Tenth Celebration Committee of the Republic of China—San Francisco & Bay Area regarding the Double Tenth Chinese holiday.

8. Superintendent’s Report

- Attended a State Superintendent Forum, which was co-hosted by the Santa Clara County Office of Education and Educate Our State
- Attended a District Superintendent’s Retreat
• Visited the Krause Center for Innovation
• Attended the Alpha 2 ribbon cutting ceremony
• Visited Osborne Court School
• Announced the upcoming Teacher of the Year Recognition Celebration

9. Consent Action Items

A. Request Approval of Minutes of Regular Board Meeting of September 17, 2014 (#2145)
B. Request Approval of FIRST 5 Santa Clara County Contract for Child Signature Program
C. Request Approval to Accept the El Camino Hospital Community Benefit Program Grant
D. Request Approval of Contract for Supporting the Strategic Implementation Initiative of the California Department of Education (CDE) After School Division (ASD)
E. Request Approval to Accept Grant for Tobacco-Use Prevention Education (TUPE) County Technical Assistance and Leadership Funds

MOTION #2146-3 by member Di Salvo to approve Consent Action Items 9A through 9E. Vice President Green seconded the motion and it carried 7-0.

10. Public Hearing and Action

A. Conduct a Public Hearing and Adopt Resolution for the 2013-14 Gann Appropriations Limit and the Estimated Gann Appropriations Limit for 2014-15

President Beauchman explained the public hearing process and opened the floor for public comments.

No one wished to address the Board.

MOTION #2146-4 by member Mah to Conduct a Public Hearing and Adopt Resolution for the 2013-14 Gann Appropriations Limit and the Estimated Gann Appropriations Limit for 2014-15. Member Song seconded the motion and it carried 7-0.

11. Action Items

A. Decision on the Charter Petition for Spark Charter School

President Beauchman explained the decision process and Toni Cordova presented a staff report and answered questions.

Laura Stuchinsky, lead petitioner, and Peter Laub, Ed Tec representative, answered questions from the Board.

Dr. Benjamin Picard, Superintendent of Sunnyvale School District, answered questions.
The following individuals spoke in support of the charter petition for Spark Charter School:

- Karen Gumaer, attorney
- Christine Hernandez, Spark Charter School, board member
- Alexandra Zdravkovic, Spark Charter School, board president
- Juliana Hawley, student
- Winnie Poon, parent
- Jane Lii, Spark Charter School, board member
- Dave Whittum, parent
- David O’Brien, parent
- Laura Stuchinsky, Spark Charter School, board member

The following individuals spoke in opposition of the charter petition for Spark Charter School:

- Ann McCarty, Sunnyvale School District, teacher
- Heather Mumy, Sunnyvale Education Association
- Kathleen Meadows, Sunnyvale School District, teacher
- Kathleen Keating, Sunnyvale School District, teacher
- Nancy Newkirk, Sunnyvale School District, board member

The Board asked clarifying questions and deliberated.

Member Mah requested date changes to the resolution approving the Spark Charter petition.

MOTION #2146-5 by member Mah to adopt the resolution to approve the charter petition for Spark Charter School with requested date amendments to the resolution and granting the charter for a period of three years commencing on July 1, 2015 through June 30, 2018. Member Hover-Smoot seconded the motion and it carried 4-3 with Vice President Green and members Chang and Song voting no.

*The Board broke for Recess at 9:45 p.m. and reconvened into Open Session at 9:53 p.m.*

B. Request Approval of Contract Exceeding $250,000 (Kaiser Permanente)

MOTION #2146-6 by member Hover-Smoot that the Board approve the contract exceeding $250,000 for Kaiser Permanente. Member Mah seconded the motion and it carried 5-2 with Vice President Green and member Song abstaining.

C. Request Approval of Contract Exceeding $250,000 (Valley Health)

MOTION #2146-7 by member Hover-Smoot that the Board approve the contract exceeding $250,000 for Valley Health. Member Mah seconded the motion and it carried 6-1 with Vice President Green abstaining.
D. Request Approval of Contract Exceeding $250,000 (Delta Dental through the Alameda County Schools Insurance Group (ACSIG))

MOTION #2146-8 by member Hover-Smoot that the Board approve the contract exceeding $250,000 for Delta Dental through the Alameda County Schools Insurance Group. Member Song seconded the motion and it carried 7-0.

E. Request Approval of Contract Exceeding $250,000 (Medical Eye Services)

MOTION #2146-9 by member Hover-Smoot that the Board approve the contract exceeding $250,000 for Medical Eye Services. Member Song seconded the motion and it carried 7-0.

12. Information Items

A. Office of Innovative Schools Report

(Member Song left the meeting at approximately 10:00 p.m.)

Ms. Cordova presented an overview of the Office of Innovative Schools and answered questions. Maribel Medina, General Counsel, also assisted in answering questions.


Micaela Ochoa, Chief Business Officer, presented the status on the 2013-14 Unaudited Actuals Financial Report and answered questions.

(Member Hover-Smoot left the meeting at approximately 11:06 p.m.)

C. Local Control and Accountability Plan (LCAP) Update

Ms. Ochoa and Cecilio Dimas, Director of Science, Technology, Engineering, Art & Math (STEAM), presented an update on the Local Control and Accountability Plan and answered questions from board members.

D. FosterVision Project Update

Dr. Kelly Calhoun, Chief Information Officer, presented the progress made to date and next steps involved with the current five pilot school districts, as well as the partner public agencies on the FosterVision project.

(Vice President Green left at approximately 11:41 p.m.)
E. First Reading of Recommended Deleted Board Policies 6142.6, 6142.91, 6142.92 and 6162.5

The Board briefly reviewed the First Reading of Recommended Deleted Board Policies 6142.6, 6142.91, 6142.92 and 6162.5.

F. First Reading of Revised Board Policies 6141, 6162.51 and Board Bylaw 9320

The Board briefly reviewed the First Reading of Revised Board Policies 6141, 6162.51 and Board Bylaw 9320.

13. Board Committee Reports

Michael Chang
- Attended a Santa Clara County School Boards Association (SCCSBA) meeting

14. County Board of Education Members Report

There were no County Board of Education Members report.

15. FUTURE AGENDA ITEMS

Requested items by Board members may be addressed at this time.
- STRIVE and Collective Impact, fall 2014 (member Di Salvo)
- Board Retreat, Nov 22 (President Beauchman)
- Charter Schools Workshop, spring 2015 (President Beauchman)
- Early Childhood, winter 2015 (member Mah)
- Civic Education (member Di Salvo)

16. Adjournment

The meeting adjourned at 12:01 a.m. (October 2, 2014)

Respectfully submitted,

[Signature]

Jon R. Gundry, County Superintendent of Schools
Ex-Officio Secretary

:ca
RESOLUTION ESTABLISHING 2014-15 GANN APPROPRIATIONS LIMIT
AND APPROPRIATING REVENUE

SANTA CLARA COUNTY BOARD OF EDUCATION
RESOLUTION NO: 2146-1

WHEREAS, pursuant to California Education Code 1629, on or before October 15 of each year, the Santa Clara County Board of Education (SCCOE) shall adopt a resolution to identify, pursuant to Division 9 (commencing with Section 7900) of Title 1 of the Government Code, the estimated appropriations limit for the county office of education for the current fiscal year and the actual appropriations limit for the county office of education for the preceding fiscal year. That resolution shall be adopted at a regular or special meeting of the board. Notwithstanding Section 7910 of the Government Code, documentation used in the identification of the appropriations limits shall be made available to the public on the date of the meeting at which the resolution is adopted, was posted and available to the public at the office of the SCCOE; and

WHEREAS, this Board has considered such documentation in determination of the appropriations limit, pursuant to Article XIII-B of the California Constitution; and

WHEREAS, the SCCOE may have received revenue beyond what was originally appropriated in 2013-14; and

WHEREAS, the SCCOE may receive revenue beyond what will be appropriated in 2014-15;

NOW THEREFORE, BE IT RESOLVED THAT that the Gann appropriations limit for the SCCOE subject to the limitations contained in Article XIII-B of the California Constitution and Chapter 1205 of the Statutes of 1980, shall be as follows:

Gann Limit, 2013-14 (Actual): $112,754,614

PASSED AND ADOPTED by the Santa Clara County Board of Education at a meeting held on October 1, 2014, by the following vote:

AYES: President Beauchman, Vice President Green, members Hover-Smoot, Mah, Song, Di Salvo and Chang
NOES: -none-
ABSTAIN: -none-
ABSENT: -none-

Leora F. Beauchman, President
Santa Clara County Board of Education

Jon R. Gundry
Santa Clara County Office of Education
RESOLUTION APPROVING THE CHARTER PETITION
OF SPARK CHARTER SCHOOL

SANTA CLARA COUNTY BOARD OF EDUCATION
RESOLUTION NO.: 2146-2

RESOLVED by the Santa Clara County Board of Education, County of Santa Clara, State of California, that:


WHEREAS, the Santa Clara County Board of Education (hereinafter "County Board of Education") held a public hearing on this matter on September 3, 2014; and

WHEREAS, the County Board of Education reviewed the Petition taking into consideration the testimony and documents submitted, including the Spark Charter Petition to the County Board of Education; the testimony presented at the public hearing; additional materials received from petitioners, the Sunnyvale School District and the public; and the review of County Office of Education staff; and

WHEREAS, the County Board of Education finds that the proposed charter school will offer services to pupils who have performed at an average or below average level, and that such pupils will benefit from those services; and

WHEREAS, the County Board of Education finds that the deficiencies identified by staff review can be addressed by specific action, plans, and information;

NOW, THEREFORE, the County Board of Education does hereby approve the petition, and does hereby grant the charter, with the stipulation that the petitioners meet the following requirements prior to opening the school in fall 2015:
I. Provide the following evidence and information to ensure that the Spark Charter has addressed the concerns identified in the staff analysis:

1. Amend the Spark petition by eliminating the “who can benefit” in reference to Special Education Students on page 66 of the petition.

2. By November 1, 2014,
   
   i. Notify SCCOE whether charter intends to operate as a school of the County Office of Education for Special Education purposes or as an LEA for Special Education purposes.
   
   ii. Add clarifying language to all print and online communication regarding the Spark program that parent participation commitment is not a requirement for application and that no child will be denied enrollment because parents have not participated.
   
   iii. Provide evidence of 150 current “intent to enroll” applications for the 2015-16 school year.

3. By January 1, 2015
   
   i. Provide assurance that the Petitioner is aware of and understands the responsibility of the charter to serve all students with disabilities who enroll. The petition should be updated to reflect this understanding and to provide assurance of their intent to comply with IDEA.
   
   ii. Provide a staffing model and outline the credential type designation for teachers who are described in the Petition as dually certified. Document how the Petitioner will ensure that students are served by properly credentialed staff and how they will be staffed to ensure that all aspects of the special education program can be implemented and monitored.
   
   iii. Provide statements clarifying the Petitioner’s understanding of their fiscal responsibility for students with disabilities including the responsibility for fair share of any costs to be charged to general funds when costs to serve exceed the available special education funds.

4. By January 1, 2015, if charter is LEA within County SELPA, provide evidence of its intent or document that the charter has notified the SELPA Director in writing of intent prior to February 1st of the preceding school year.
5. By January 1, 2015,
   
   i. Provide a budget and staffing plan and budget for Special Education which demonstrates a clear understanding and commitment to meet the charter school’s Special Education responsibilities.

   ii. Provide a pre-service professional development plan for the preparation of newly hired teachers to implement the “integrated inquiry- and project based learning with social-emotional learning” within the “Helical Model” and in alignment with the Common Core and Next Generation Science Standards. The plan should include specific timing and duration of the training activities.

6. Upon award provide evidence of the Grant Award Notification (GAN) of the PCSGP grant, with grant budgets, any amendments to the application or budget revisions required by the CDE in their review process.

7. By June 1, 2015, provide:

   i. Evidence (i.e. bank statement, loan contract) of sufficient cash reserves for payroll expenditures from July 1 - September 30, 2015, or an approved contract through a recognized financial institution for a line of credit or loan.

   ii. Clearly outlined health, safety, emergency preparedness plans, and risk management plans or policies.

8. By January 1, 2015, the Charter School must provide the following information:

   i. A “final” copy of the curriculum map for grade 6 (the revised charter includes a “draft”) and curriculum maps for grades 7 and 8.

   ii. A plan for teaching academically low-achieving students, explaining the curriculum and instructional design addressing their needs. The plan should also include professional development, in researched based intervention practices and strategies, to support teachers in meeting the needs of academically low-achieving students.

   iii. Identify State numerically significant subgroups other than English Learners (EL) and include “specific” annual actions for each subgroup to achieve these goals to comply with the State Priorities under LCFF/LCAP. Spark’s subgroups should be similar to the subgroups that reside in Sunnyvale School District. (Adjust State Priority #5 - Student Engagement, to include the metric of the Middle School Dropout Rates and State Priority #8 – Other Student Outcomes to include all grade levels K-8th.)
iv. An English Language Development (ELD) Plan that is both "integrated and designated" implementing the California ELD Standards in tandem with the California Common Core Standards for English Language Arts/Literacy and other content standards in order to provide a comprehensive program for English Learners.

II. Spark Charter School and the County Office of Education shall enter into a Memorandum of Understanding that will govern the County Office of Education's oversight of Spark Charter School's operations (hereinafter "MOU"). Failure to successfully negotiate and execute the Contract by January 1, 2015, shall be considered grounds for revocation of the charter. To the extent that there are any inconsistencies between the MOU and the approved charter, the MOU controls.

The charter is approved for an initial period of three years of school operation, commencing on July 1, 2015 and continuing through June 30, 2018.

Passed and adopted by the Santa Clara County Board of Education at a meeting held on this 1st day of October, 2014 by the following vote:

AYE: President Beauchman and members Mah, Hover-Smoot and Di Salvo

NO: Vice President Green and members Chang and Song

ABSTENTION: --none--

ABSENT: --none--

Leon F. Beauchman, President  
Santa Clara County Board of Education

Jon R. Gundry  
County Superintendent of Schools  
Santa Clara County Office of Education