

Minutes for Regular Meeting #2575
APPROVED ON December 17, 2025

Santa Clara County Board of Education
1290 Ridder Park Drive
San Jose, CA 95131

Wednesday, November 19, 2025
Regular Board Agenda (#2575)
San Jose Room
5:00 p.m.

1. SCCBOE CALL TO ORDER

A. Call to Order

President Berta called the meeting to order at approximately 5:03 p.m.

B. Pledge of Allegiance

President Berta led the Pledge of Allegiance.

C. Land Acknowledgement

President Berta read the Land Acknowledgement.

D. Roll Call (Including Action on Absences if Necessary)

Members present:

Jessica Speiser
Raeena Lari (*via teleconference*)
Don Rocha
Maimona Afzal Berta
Victoria Chon
Jorge Pacheco
Tara Sreekrishnan (*via teleconference*)
Student Board Member Pastrana Jimenez (*absent*)

E. Set the Agenda

Motion #2575-1 by Victoria Chon, second by Don Rocha, to set the agenda, and removing Item 12A – Conference with Legal Counsel – Anticipated Litigation. Motion carried 6-1 with the following vote:

Yes: Jessica Speiser, Raeena Lari, Don Rocha, Maimona Afzal Berta, Victoria Chon, Jorge Pacheco
Noes: Tara Sreekrishnan

2. PUBLIC COMMENTS OF PERSONS DESIRING TO ADDRESS THE BOARD

There were 17 public comments.

3. BARGAINING UNITS' REPORTS

The President or designee of each bargaining unit was invited to present comments. Sarah Gianocar, SEIU Chapter President, and Riju Krishna, ACE President, provided remarks.

4. PUBLIC HEARING

A. Public Hearing on the Discovery Charter II Charter School Renewal Petition

Michelle Johnson, Director of the Charter Schools Department, gave the opening statement on the Discovery Charter II Charter School renewal, outlining the renewal process and legal standards, including prioritization of academic performance, post-secondary outcomes, and compliance with Education Code provisions. She noted the school, which is designated as a middle-performing charter school, submitted its renewal petition on November 7, 2025, and is requesting a five-year term. The Board's decision hearing is scheduled for February 4, 2026.

Kelly Brown, School Psychologist and Karla Lund Oelsner, Director of Discovery Charter Falcon Charter School highlighted the school's founding history, whole-child philosophy, and the role of personalized learning plans, social-emotional supports, and project-based instruction. They emphasized strong family partnerships, community engagement, and a learning environment inspired by the Reggio Emilia approach (the learning environment is intentionally designed to spark curiosity, collaboration, and a sense of belonging, as referenced in the presentation).

There were 13 public comments.

5. BOARD COMMITTEE REPORTS

There were nine public comments for Item 5B.

A. Committee members may provide or report on recent committee activities.

Trustee Speiser reported that she attended the Head Start Policy Council on Tuesday, November 18. She noted that, in the absence of a director, Dr. Matt Wayne, the Assistant Superintendent of Educational Services, will begin attending Policy Council meetings regularly to support the program and reaffirm its priority for the SCCOE. Dr. Toston added that a full round of interviews for the vacant director's position did not yield a suitable candidate, and the recruitment process will be reopened.

President Berta reported that the Joint Legislative Advisory Committee (JLAC) met earlier that day and received updates on the state budget, federal developments, and recent legislative successes. The committee also reviewed a legislative engagement model used in Placer County for possible application. A survey regarding Advocacy Day will be distributed in early April.

Trustee Pacheco added that the Joint Legislative Advisory Committee (JLAC) expressed interest in having the Board explore policy platforms and priorities to help guide future decisions on which legislation JLAC should support, oppose, or monitor in the next legislative cycle. Additional information will be shared with the Board as this work progresses.

Trustee Lari reported that the Santa Clara County School Boards Association (SCCSBA) meeting was occurring at the same time as the Board meeting. She stated she will work to avoid scheduling conflicts with SCCSBA next year.

B. Governance Ad Hoc Committee Report

President Berta introduced the item, summarized the Governance Ad Hoc Committee's review and policy updates, and thanked the Board, emphasizing measures to safeguard public trust, funds, and student well-being.

Board Members discussed the review process, noting that the proposed policies reflect a compromise among differing viewpoints and provide accountability while allowing the Board to refocus on students.

Clarifying questions regarding the findings listed in Exhibit A of the agenda, including the source of the findings, who drafted them, and whether full reports could be shared with the Board or the public. Questions also included transparency regarding the use of public funds.

After discussion, the Board acknowledged the value of the process in strengthening oversight, clarifying roles, and supporting the Superintendent.

6. INFORMATION ITEMS

A. First Reading of Revised Board Bylaw 9005 – Governance Standards

Trustee Sreekrishnan asked for clarification on when trustees may speak publicly. Adrienne Konigar-Macklin, Joint Legal Counsel for the Santa Clara County Board of Education and Santa Clara Office of Education, explained that trustees, like members of the public, have the right to speak on any policy as individuals, but must clearly indicate that their views are personal and not the collective concurrence of the Board.

Board Members discussed recusal language regarding conflicts of interest. Adrienne Konigar-Macklin, Joint Legal Counsel for the Santa Clara County Board of Education and Santa Clara Office of Education, clarified that the recusal section generally refers to conflicts of interest. Personal or private opinions and discussions by Board Members are protected under First Amendment rights.

B. First Reading of Revised Board Bylaw 9007 – Censure Policy and Procedure

Clarification was requested regarding the scope of the policy, including whether the Superintendent could investigate potential wrongdoing by Board Members. Adrienne Konigar-Macklin, Joint Legal Counsel for the Santa Clara County Board of Education and Santa Clara Office of Education, clarified that the Superintendent does not have investigatory authority over the Board, and any such matters would be handled by the Board or referred to an appropriate external agency.

C. First Reading of Revised Board Bylaw 9011 – Disclosure Confidential/Privileged Information

A question was raised regarding the specific changes in the revised policy. It was explained that the update explicitly references existing governance standards (9006 Board Bylaw – Code of Conduct for Santa Clara County Board of Education) to ensure compliance and adherence to current procedures.

D. First Reading of Revised Board Bylaw 9124 – Attorney

Adrienne Konigar-Macklin, Joint Legal Counsel for the Santa Clara County Board of Education and Santa Clara Office of Education, clarified that the policy allows the Board to obtain additional legal counsel, when necessary, such as in cases of legal conflicts or for a second opinion, while maintaining joint counsel. The policy does not replace joint counsel and applies to the Board as a whole.

E. First Reading of Revised Board Bylaw 9322 – Agenda/Meeting Materials

Adrienne Konigar-Macklin, Joint Legal Counsel for the Santa Clara County Board of Education and Santa Clara Office of Education, clarified that the revised policy emphasizes the need to attach all relevant documents to each Board agenda item, rather than providing only a description, to ensure Board Members have full access to necessary information.

F. First Reading of Revised Board Bylaw 9323 – Meeting Conduct

Adrienne Konigar-Macklin, Joint Legal Counsel for the Santa Clara County Board of Education and Santa Clara Office of Education, stated that the policy includes a provision for individuals with business contracts with SCCOE to voluntarily disclose any financial interests when speaking before the Board. It was clarified that this applies only to those with contractual obligations and does not apply to employees or the public.

G. Future Agenda Items

Vice President Chon requested a review of interpreter services, including the practices and utilization of ASL and other language interpretation services, with attention to access for staff, parents, and educators beyond Board meetings. She also proposed forming a work group to explore best practices and advocacy related to the return of excess property taxes, including potential collaboration with other counties to support local school districts and improve funding processes.

Trustee Pacheco suggested allocating time, possibly at a Board retreat, to designate the Board's policy platforms, identify legislative priorities, and establish working groups to focus on specific legislative issues, such as the excess property tax process, in alignment with the Board's goals and advocacy efforts.

Trustee Sreekrishnan requested that the Student Advisory Board be added back as a future agenda item.

7. CONSENT ACTION ITEMS

A. Request Approval of Consent Action Items as listed in Item #7 Consent Action Items

B. Request Approval of the Minutes from the Regular Board Meeting (#2574) on November 5, 2025

C. Request Adoption of Resolution Recognizing National Special Education Day and Ed Roberts Day

D. Accept Donations to the Santa Clara County Office of Education

Motion #2575-2 by Jorge Pacheco, second by Don Rocha, to approve Consent Action Items as listed in Item #7 Consent Action Items. Motion carried 7-0 with the following vote:

Yes: Jessica Speiser, Raeena Lari, Don Rocha, Maimona Afzal Berta, Victoria Chon, Jorge Pacheco, Tara Sreekrishnan

Noes: None

8. ACTION ITEMS

A. Interview and Appointment of Student Board Member

The Board interviewed one candidate for the Student Board Member position. Trustees discussed the intent of the policy to provide opportunities for students in SCCOE's Court and Community Schools and Alternative Education programs. Dr. Toston explained that due to timing and eligibility issues, the standard recruitment

process was followed this year. Trustees acknowledged the candidate's strengths and potential contributions to the Student Advisory Board but agreed to table the appointment to allow further recruitment from students within SCCOE programs.

Motion #2575-3 by Jessica Speiser, second by Jorge Pacheco, to table the discussion. Motion carried 7-0 with the following vote:

Yes: Jessica Speiser, Raeena Lari, Don Rocha, Maimona Afzal Berta, Victoria Chon, Jorge Pacheco, Tara Sreekrishnan

Noes: None

B. California School Boards Association (CSBA) Delegate Assembly Nomination for the 2026–2028 Term

Motion #2575-4 by Victoria Chon, second by Tara Sreekrishnan, to approve the nomination of Trustee Speiser to serve as representative of the Santa Clara County Board of Education for the 2026–2028 CSBA Delegate Assembly term. Motion carried 7-0 with the following vote:

Yes: Jessica Speiser, Raeena Lari, Don Rocha, Maimona Afzal Berta, Victoria Chon, Jorge Pacheco, Tara Sreekrishnan

Noes: None

9. COUNTY BOARD OF EDUCATION MEMBER REPORTS

Trustee Speiser reported on the Santa Clara County School Boards Association's (SCCSBA) SUCCESS Committee symposium held on November 15, focused on supporting unhoused learners. The event included presentations on student experiences, data and services for unhoused students, a panel of district employees working with McKinney-Vento students, and a case study highlighting wraparound services.

Trustee Sreekrishnan highlighted participation in the "Gather for Good" fundraiser gala supporting Inclusive World, a nonprofit serving young people with developmental disabilities, and acknowledged the partnership with the Innovation Collaborative. She also spoke on a panel of elected officials at the Asian Pacific American Institute for Congressional Studies, where she discussed the Board's efforts to collaborate on school funding equity.

10. CONSENT INFORMATION ITEMS (Information items provided for review that do not require presentation or action.)

A. Contracts \$250K and Over

B. Disposition of Surplus Items: July to September 2025

C. Budget Revisions for the Month of October 2025

D. Monthly Enrollment Update – Educational Services Programs

E. Head Start/Early Head Start Monthly Board Report – September 2025

F. 2025 Williams Settlement Annual Report

11. SUPERINTENDENT'S REPORT

A. The superintendent may give a report on any activities related to his duties.

Dr. Toston reported on recent activities, including meetings with local elected officials to discuss shared priorities for the upcoming legislative session and participation in a town hall with Parents Helping Parents to highlight support for students with moderate complex needs. He also acknowledged and commended the SCCOE staff for their ongoing efforts across departments, noting the positive impact of their work on the organization and community.

12. CLOSED SESSION

The Board moved to a Closed Session at approximately 8:35 p.m. President Berta called Closed Session to order at 8:40 p.m. and called roll. All trustees were present except Trustee Lari.

A. Conference with Legal Counsel – Anticipated Litigation (Gov. Code § 54956.9(b)): 1 case

This item was removed from the agenda under Item 1E - Set the Agenda.

B. County Superintendent Performance Evaluation (Gov. Code § 54957(b)(1))

13. OPEN SESSION (Immediately Following Closed Session)

A. Report of Actions Taken in Closed Session

The Board concluded the Closed Session at 10:19 p.m. and reconvened the Open Session at approximately 10:22 p.m.

President Berta stated that there was no reportable action taken on Item 12B.

14. ADJOURNMENT

The next Santa Clara County Board of Education regular meeting is scheduled for December 17, 2025.

Motion #2575-5 by Jorge Pacheco, second by Victoria Chon, to adjourn the meeting. Motion carried 5-0-2 with the following vote:

Yes: Jessica Speiser, Don Rocha, Maimona Afzal Berta, Victoria Chon, Jorge Pacheco

Noes: None

Not Present at Vote: Raeena Lari, Tara Sreekrishnan

The meeting adjourned at approximately 10:25 p.m.

Respectfully submitted,



Dr. David M. Toston, Sr.
County Superintendent of Schools
Ex-Officio Secretary