

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

APPROVED
March 6, 2013
Minutes of Regular Meeting #2115
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
Darcie Green, Area 6
Julia Hover-Smoot, Area 7

b. Adoption of Agenda

MOTION #2115-1 by member Hover-Smoot to adopt the agenda as submitted. Member Beauchman seconded the motion and it carried 6-0-1 with member Song absent.

c. Pledge of Allegiance

President Mah asked Sharon Miller, recipient of the Employee of the Month, to lead the pledge of allegiance.

(Member Song arrived at approximately 5:08 p.m.)

2. Employee of the Month: Sharon Miller, Student Services, Special Education, Argonaut School—Paraeducator

Member Di Salvo introduced Sharon Miller, March's Employee of the Month. He noted Sharon's contributions, presented a plaque and an engraved pen in recognition of her work. Ms. Laura Boyer, teacher, spoke about Sharon's loving dedication to the children she serves and expressed how much she appreciates Sharon. Sharon thanked her colleagues and the Board for the recognition and introduced her husband.

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: San Jose Unified School District v. Santa Clara County Board of Education,
Santa Clara County Case No: 1-13-CV-241695

*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.

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

Ms. Gia McElroy, parent, informed the Board regarding her son not having been properly served by Pacific Autism Center for Education (PACE).

7. Correspondence

- Email, Craig Mann, Subject: Santa Clara County Superintendent of Schools to make payments on loan from taxpayers

8. Superintendent's Report

- Attended Cabrian School District's "State of the District Breakfast"
- Attended a meeting at San Mateo County Office of Education on "Impact on Governor's Budget on Excess Tax County Offices"
- Participated as Master of Ceremonies at the 2013 Children's Summit—Kids in Common annual event
- Spoke at a parent organization group in the San Jose Unified School District
- Attended a KA Lite presentation hosted by Kahn Academy
- Attended La Raza's annual summit

9. Consent Action Items

- a. Request Approval of Minutes of Regular Board Meeting of February 20, 2013 (#2114)
- b. Request Approval of Minutes of Special Board Meeting of February 20, 2013 (#2114-S1)
- c. Request Approval of Contract Exceeding \$100,000

MOTION #2115-2 by member Di Salvo to approve Consent Action Items 9A through 9C. Member Song seconded the motion and it carried 7-0.

10. Public Hearing

a. Public Hearing on Charter Petition for Discovery Charter School II

President Mah explained the hearing process. Ms. Toni Cordova, Chief Strategy Officer, presented the staff's analysis of the Discovery Charter II petition. Dr. Xavier De La Torre, County Superintendent of Schools and Ms. Toni Cordova, Chief Strategy Officer, answered questions from member Song regarding reasons for denial from the San Jose Unified School District.

Mr. Dale Jones, lead petitioner, presented the merits on Discovery Charter II and answered questions from board members.

11. Action Items

a. Decision Regarding Charter Petition for Discovery Charter School II

President Mah explained the decision process and Ms. Cordova gave an oral staff report.

Board members asked clarifying questions and deliberated.

MOTION #2115-3 by member Hover-Smoot that the Board approve Discover Charter School's petition for Discovery Charter School II. Member Green seconded the motion and it carried 7-0.

(The Board broke for recess at 7:44 p.m. and reconvened into Open Session at 7:52 p.m.)

b. Guidelines for Considering a Charter School Zoning Exemption Request

Dr. De La Torre provided background on the guidelines for considering a charter school zoning exemption request and Mr. Andy Faber, Partner at Berliner Cohen, attorneys at law, answered questions from the Board.

MOTION #2115-4 by member Di Salvo that the Board adopt the Guidelines for Considering a Charter School Zoning Exemption Request. Member Hover-Smoot seconded the motion and it carried 7-0.

- c. Request Approval of Second Amendment to Promissory Note Secured by First Deed of Trust Between Guadalupe De La Torre (Superintendent or Borrower) and Santa Clara County Office of Education (Lender or SCCOE)

MOTION #2115-5 by member Hover-Smoot that the Board approve the Second Amendment to Promissory Note secured by First Deed of Trust between Guadalupe De La Torre and Santa Clara County Office of Education. Member Di Salvo seconded the motion and it carried 7-0.

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

Dr. De La Torre introduced Ms. Linda Aceves, Chief Schools Officer, who presented an overview of the Non-Public Schools (NPS) contracts for 2013-14 and answered questions from board members. (*Action Items 11D through 11H pertain to NPS contracts.*)

MOTION #2115-6 by member Di Salvo to approve Action Items 11D through 11H, which pertain to Non-Public Schools contracts. Member Hover-Smoot seconded the motion and it carried 7-0.

Ms. Gia McElroy, parent, spoke about process issues at licensed children's institutions.

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

This item was approved under Action Item 11D.

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

This item was approved under Action Item 11D.

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

This item was approved under Action Item 11D.

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

This item was approved under Action Item 11D.

- i. Request Appointment to Santa Clara RDA Successor Agency Oversight Board

Dr. De La Torre introduced the appointment to Santa Clara RDA Successor Agency Oversight Board and recommended Ms. Micaela Ochoa, Chief Business Officer, as the primary representative to the Santa Clara RDA Successor Agency Oversight Board and Mr. Kolvira Chheng as the alternate.

MOTION #2115-7 by member Song that the Board approve Ms. Micaela Ochoa as the primary representative to the Santa Clara RDA Successor Agency Oversight Board and Mr. Kolvira Chheng as the alternate effective March 7, 2013. Member Di Salvo seconded the motion and it carried 7-0.

12. Information Items

a. Alternative Education Update

Ms. Aceves introduced Ms. Yvette Irving, Director of Alternative Education. Ms. Irving presented an update regarding the status and progress of the Santa Clara County Office of Education's key initiatives for the 2012-13 school year as well as program improvement efforts and answered questions from the Board.

Mr. Earl Thaxton, Alternative Education teacher at Osborne School, addressed his concerns regarding inoperable computers.

b. University Preparatory Academy Presentation

Mr. Dan Ordaz, Executive Director of University Preparatory Academy (UPA), presented highlights from UPA's 2012-2013 annual report and answered questions.

c. Foster Youth Services Grant Update

Ms. Aceves introduced Ms. Sonja House, Supervisor—Foster Youth and Homeless Education Services. Ms. House provided an update on current funding, services, and collaborative partnerships and answered questions.

d. Fiscal Year 2012-13 Budget Update

This item was tabled to the March 20, 2013 meeting.

e. Board Committee Reports

Michael Chang

- Attended a Policy Committee meeting and announced upcoming first readings on various policies.

(Member Hover-Smoot left the meeting at approximately 10:21 p.m.)

f. County Board of Education Member Reports

This item was tabled.

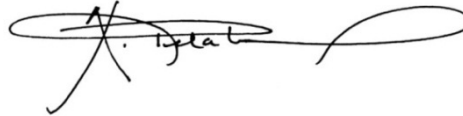
13. FUTURE AGENDA ITEMS

- Review of Gates Collaborative, March 20 (Member Di Salvo)
- SJ/SV 2020 Presentation at the NSBA April 2013 Conference, March 20 (President Mah)
- Series of Strategic Planning Process Workshops, April 3 (Dr. De La Torre)
- 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)

14. ADJOURNMENT

The meeting adjourned at 10:24 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "X. De La Torre", with a large, sweeping flourish extending to the right.

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

:ca