Members Present:  T.N. Ho, President  
Anna Song, Vice President  
Margaret Abe-Koga  
Alex Bantis  
Leon Beauchman  
Don Kruse  
Anthony Muñoz

The meeting was called to order in the San Jose Room by Board President Ho at 5:20 p.m.

Setting the Agenda

President Ho invited discussion on the agenda, and then called for a motion.

MOTION #1027-1 by Mr. Beauchman, seconded by Vice President Song, that the agenda be adopted as submitted.

MOTION #1027-1 carried by a 7-0 vote.

Operation Graduate

Presentation of Colors and Pledge of Allegiance

President Ho began the graduation ceremony by requesting the presentation of colors by the American Legion and United Veterans Council of Santa Clara County and continued with the Pledge of Allegiance.

Request Approval to Award High School Diplomas to World War II and Korean War Veterans and Internees

President Ho asked for a motion on the awarding of diplomas pursuant to Operation Graduate.

MOTION #1027-2 by Vice President Song, seconded by Ms. Abe-Koga, that the request to award High School Diplomas to World War II and Korean War Veterans and Internees be approved.

MOTION #1027-2 carried by a 7-0 vote.
Graduation

Superintendent Wilcox gave an address and read brief biographies of the graduates. President Ho and Vice President Song awarded each of the following veterans a high school diploma:

- Richard A. Cooper  
  Private First Class, Military Police, Air Force – WWII  
  1942-1946

- Maurice P. Flynn  
  Seaman First Class, Navy – WWII  
  1945-1946

- John A. Giudici  
  Private First Class, Marines – WWII  
  1942-1945

- Carlos M. Jimenez  
  Private First Class #3, Army – Korean War  
  1954-1957

- Paul G. Maier  
  Staff Sergeant, Air Force – WWII & Korean War  
  1950-1954

- Mark T. Saka  
  Private First Class, Army – Internment & WWII  
  1942-1945

- Richard Salgado  
  Seaman First Class, Navy – WWII & Korean War  
  1945-1948

- Ronald I. Smith  
  Sergeant First Class, Army – Korean War  
  1951-1953

- Alfred J. Zacaria  
  Seaman First Class, Navy – WWII  
  1944-1946

Ms. Mary Ellen Locke, Member of the Board of Directors of the Digital Clubhouse Network, introduced a film, “Stories of Service”, that was produced by the Digital Club House Network and featured some of the veterans.

Reception

The graduates, their family and friends gathered in the lobby for a reception. The meeting reconvened in the Board Room at 6:30 p.m.

Disclosure of Items to be Discussed in Closed Session

President Ho reported that the Board will hold a Closed Session to consider the following items:

A. Board Deliberation  
   Subject Matter: Interdistrict Appeal Filed on Behalf of Student
Santa Clara County Board of Education
Minutes of September 3, 2003 Meeting

UNAPPROVED

Closed Session

The Board adjourned into Closed Session at 6:30 p.m.

Recess

The Board broke for recess at 7:10 p.m. and reconvened at 7:20 p.m.

OPEN SESSION – 7:20 p.m.

Report of Closed Session Actions

President Ho reported that, in the matter of Agenda Item 5.A., Interdistrict Attendance Appeal Filed on Behalf of Student, the Board voted on a motion (#1027-3) by Ms. Abe-Koga, seconded by Mr. Muñoz, that the Santa Clara Board of Education grant the appeal as the appellant met the requirements of Board Factor 1, "The pupil’s psychological or physical well-being."

MOTION #1027-3 the motion carried with the Board voting 5-2, with President Ho and Mr. Beauchman voting no, with no one absent and no abstentions.

The interdistrict attendance transfer is granted for the remainder of the 2003-2004 school year and is contingent upon the pupil adhering to the receiving district’s terms and conditions for interdistrict attendance as established by the California Education Code and by district policy.

Hearing of Persons Desiring to Address the Board or to Present Petitions

President Ho invited members of the public to address the Board. The following individual addressed the Board regarding her departure from the Foundry School.

Ms. Louise Sanfilippo, School Office Coordinator at The Foundry

Consent Action Items

MOTION #1027-4 by Vice President Song, seconded by Mr. Bantis, that the following Consent Action Items be approved:

- Minutes of Regular Meeting of August 6, 2003 (#1026)
- Approval of Submission of Noncompetitive Head Start Supplemental Training and Technical Assistance Grant Application
- Acceptance of Donations

MOTION #1027-4 carried by a 7-0 vote.
Study Action Items

Request Approval of Submission of Competitive Application for the City of San Jose’s Bringing Everyone’s Strengths Together (B.E.S.T.) Grant and Resolution Authorizing Acceptance

Mr. Joe Fimiani, Assistant Superintendent, Student Services, and Mr. John Heilman, Resource Teacher, Curriculum/Instruction/Assessment, gave an overview of the B.E.S.T. Grant and answered questions from the Board.

MOTION #1027-5 by Vice President Song, seconded by Mr. Bantis, that the Board adopt a resolution authorizing the acceptance of the submission of the competitive application for the City of San Jose’s Bringing Everyone’s Strengths Together (B.E.S.T.) Grant. The resolution was adopted by the following roll call vote:

AYE: President Ho, Vice President Song, Board Members Abe-Koga, Bantis, Beauchman, Kruse, Muñoz
NO: -none-
ABSENT: -none-
ABSTAIN: -none-

The following individuals addressed the Board regarding this item:

Mr. Pablo Viramontes, Teacher at The Foundry
Mr. Anthony Chavez, Former Foundry Student

Grant Application for Young Explorer Systems

Dr. Bonnie Plummer, Assistant Superintendent, Instructional Services, and Mr. Brad Doyel, Director, Migrant Education, summarized the grant application and answered questions from the Board.

MOTION #1027-6 by Mr. Bantis, seconded by Ms. Abe-Koga, that the Board approve the grant application.

MOTION #1027-6 carried by a 7-0 vote.

Approval to Transfer $650,000 from Fund 850 Reserves and Approval of Purchase Order Exceeding $250,000

Mr. Fimiani and Ms. Anita Parsons, Director, Walden West Center, gave an overview of the transfer of funds as well as the purchase order for construction at Walden West, then answered questions from the Board.

MOTION #1027-7 by Mr. Bantis, seconded by Vice President Song, that the Board approve the transfer of funds and the purchase order exceeding $250,000.

MOTION #1027-7 carried by a 7-0 vote.
Approval of Leadership Public Schools' Appeal to the Santa Clara County Board of Education

Dr. Porter Sexton, Director, Center for Educational Planning, and Ms. Laura Schulkind, Legal Counsel for the County Office, provided a review of the history of the Leadership Public Schools’ application and appeal as well as the criteria for review. Dr. Plummer; Ms. Cathy Grovenburg, Assistant Superintendent, Business Services; Mr. Fimiani, and Ms. Laura Kidwiler, Assistant Superintendent, Human Resources, gave a brief overview of the areas of the charter that fell under their branch review. The Board continued their discussion and asked questions of both staff and Mr. Mark Kushner, CEO, Leadership Public Schools.

The following motion, (#1027-8), was made by Mr. Beauchman and seconded by Vice President Song:

The Santa Clara County Board of Education hereby approves the appeal of Leadership Public Schools, and grants the Charter for Leadership Public Schools to operate a charter school in the East Side Union High School District for a period of three years beginning the first day of July in the year in which the charter school begins operation.

The Charter granted shall be the document as proposed by Leadership Public Schools with the corrections agreed upon with County Office of Education staff and included in the staff report to the Board.

Furthermore, the Santa Clara County Board of Education directs the County Superintendent of Schools to negotiate a Memorandum of Understanding with Leadership Public Schools that describes the common understandings between the County Superintendent and Leadership Public Schools about how the school will operate.

The Memorandum of Understanding (MOU) will include items agreed to by the County Board of Education prior to negotiations and will adequately address the issues raised by County Office staff in the staff report to the Board. These issues will include, but are not limited to,

a) information and materials that the charter school will provide to the Office of Education, and a schedule for their delivery;
b) specific personnel policies;
c) requirements for specialized programs and services for English learners and students with disabilities; and
d) specific student academic achievement goals, and how they will be achieved, measured, and reported.

The County Superintendent and Leadership Public Schools shall sign such a Memorandum of Understanding by the first day of April 2004. The County Board of Education may consider failure to negotiate a signed agreement in the form of such a Memorandum of Understanding as a cause for Charter revocation.

MOTION #1027-8 carried by a 7-0 vote.
Recess

The Board broke for recess at 8:50 p.m. and reconvened at 9:07 p.m.

Request Adoption of Resolution for the Denial of Bullis Charter School's Appeal to the Santa Clara County Board of Education.

President Ho introduced this item and then read the names of the following individuals:

The following individuals submitted a form supporting the Bullis Charter School:

Mr. Alexander Atkins  
Ms. Allison Atkins  
Mr. Breene Kerr  
Ms. Sandra Starksen  
Ms. Stacey Ahrens  
Mr. Scott Vanderlip  
Ms. Kris Moore  
Ms. Nancy Kelem  
Mr. Ken Moore  
Ms. Diana Neiman  
Mr. Mark Breier  
Ms. Annie Leung  
Mr. Stan Mok  
Ms. Kathy Evans  
Ms. Marita Vargas

The following individuals submitted a form opposing the Bullis Charter School:

Mr. Derek Pitcher  
Ms. Amy Gaffney  
Ms. Sue Swartz  
Ms. Deborah Bell  
Mr. David Luskin  
Ms. Deborah Galdes  
Ms. Christa Amsden  
Ms. Linda Eckols

Dr. Sexton and Ms. Laura Schulkind, provided a review of the history of the Bullis Charter School’s application and appeal as well as the criteria for review. Mr. Craig Jones, Lead Petitioner and Chairman, Bullis Charter School Board of Directors, and Mr. Paul Minney, Attorney, addressed the Board as the petitioners. Mr. Dwayne Roberts, Los Altos Elementary School District Board President, and Mr. John Yeh, Attorney, addressed the Board on behalf of the District.
The following individuals addressed the Board regarding their support for the Bullis Charter School:

Mr. Chris Vargas, Bullis Charter School  
Mr. Breene Kerr, Los Altos Town Council

The Board continued their discussion and asked questions of staff, legal counsel, the District, and the petitioners. President Ho then called for a motion.

The following motion, (#1027-9), was made by Vice President Song and seconded by Mr. Muñoz:

The Santa Clara County Board of Education hereby approves the appeal of Bullis Charter School, and grants the Charter for Bullis Charter School to operate a charter school in the Los Altos School District for a period of three years beginning the first day of July 2004. This approval takes effect on October 14, 2003, unless by that date, the Los Altos School District approves the charter.

The Charter granted shall be the document as proposed by Bullis Charter School with the following corrections: (1) Section VII. Admission Requirements shall be corrected to show that the only enrollment preference would be for Los Altos School District residents at large.

Furthermore, upon approval of this charter, the County Board of Education directs the County Superintendent of Schools to negotiate a Memorandum of Understanding with Bullis Charter School that describes the common understandings between the County Superintendent and Bullis Charter School about how the school will operate.

The Memorandum of Understanding (MOU) will include any items directed to the Superintendent by the Board of Education prior to negotiations and will adequately address any issues raised by County Office staff and approved by the Board of Education. These issues will include, but are not limited to,

a) information and materials that the charter school will provide to the Office of Education, and a schedule for their delivery;
b) specific personnel policies;
c) requirements for specialized programs and services for English learners and students with disabilities; and
d) specific student academic achievement goals, and how they will be achieved, measured, and reported.

Upon finalization of this charter approval, the County Superintendent and Bullis Charter School shall sign such a Memorandum of Understanding by the first day of May 2004. The County Board of Education may consider failure to negotiate a signed agreement in the form of such a Memorandum of Understanding as a cause for Charter revocation.

MOTION #1027-9 carried by a 6-1 vote, with Mr. Bantis voting no.
Consideration of Nomination for CSBA Outstanding Legislator of the Year 2003

Mr. Bantis recommended Senator Byron Sher for the nomination for CSBA. After a brief discussion, President Ho called for a motion.

MOTION #1027-10 by Mr. Bantis, seconded by Mr. Beauchman, that the Board nominate Senator Byron Sher for the CSBA Outstanding Legislator of the Year 2003.

MOTION #1027-10 carried by a 7-0 vote.

Information Items

Establishment and Reinstatement of Positions

Dr. Colleen Wilcox, County Superintendent of Schools, reported on the establishment of positions and answered questions from the Board.

Update on 2003-04 State Budget

Ms. Grovenburg summarized the 2003-04 state budget and answered questions from the Board.

Board Committee Reports

Vice President Song reported on the Policy Development Subcommittee and mentioned that the following two board policies would be coming to the board shortly:

- Board Policy 3120 – Budget Adoption and Expenditures
- Board Policy 6232 – Charter School Oversight

County Board of Education Travel – Committee Member Reports

Board Members reported on the following:

Don Kruse
- Participated in the panel to select the Strategic Planning Team Consultant
- Attended a Gilroy Unified School District Board Meeting

Margaret Abe-Koga
- Participated in the panel to select the Strategic Planning Team Consultant
- Attended Women’s Equality Day Breakfast
- Met with Councilmember Cindy Chavez

Leon Beauchman
- Attended the Board Policy Development Subcommittee Meeting
- Attended an Alternative Schools Collaborative Subcommittee Meeting
- Attended an Asian-American Business Association function
Anna Song
- Attended a Zoe Lofgren BBQ
- Attended Joe Simitian’s Breakfast for Asian-American Community Leaders
- Chaired the Board Policy Development Subcommittee Meeting

Anthony Muñoz
- Attended the Board Policy Development Subcommittee Meeting

Adjournment

The meeting was adjourned at 11:49 p.m.

Respectfully submitted,

[Signature]

Colleen B. Wilcox, Ph.D., Superintendent
Ex-Officio Secretary