

**SANTA CLARA COUNTY BOARD OF EDUCATION**

1290 Ridder Park Drive  
San Jose, California 95131

APPROVED

Minutes of Regular Meeting #1088

Board Room

October 18, 2006

5:00 p.m.

Members Present: T.N. Ho, President  
Gary Rummelhoff, Vice President  
Bill Evers  
Leon Beauchman  
Anna Song  
Jane Howard

Members Absent: Anthony Muñoz

The meeting was called to order by President Ho at 5:10 p.m.

Setting the Agenda

MOTION #1088-1 by Vice President Rummelhoff, seconded by Ms. Howard, that the agenda be approved as submitted.

MOTION #1088-1 carried a 5-0-0-2 vote with members Muñoz and Beauchman absent.

Pledge of Allegiance

President Ho asked Vice President Rummelhoff to lead the pledge of allegiance.

COE Student Recognition — Tina Truong, Special Education, Leigh High School

*(Leon Beauchman arrived at the meeting.)*

President Ho introduced the COE Student Recognition awardee Tina Truong of Leigh High School, and presented her a Blackberry 7290 plus a year's worth of service and a plaque in recognition of this award. Mr. Paul Madarang, principal for COE's Oster Cluster then spoke on her behalf. Ms. Debbie Beemis, Tina's counselor, also spoke about Tina's hard work and accomplishments. Tina thanked her friends and family for their support.

Closed Session

The Board adjourned into Closed Session at 5:20 p.m.

**OPEN SESSION – 6:55 p.m.**

Report of Closed Session Actions

In the matter of the expulsion appeal filed on behalf of a student, there was a motion by Leon Beauchman, seconded by Anna Song, that the Santa Clara County Board of Education to overturn the expulsion of the student in that there was a prejudicial abuse of discretion in the student appellant's hearing before the governing board because the expulsion decision is not supported by substantial facts or the findings. The Board also orders that the student's record be expunged [EC§48923 (c)] and the district board reimburse the student for the cost for preparing the written transcription [EC§48921(2)]. This motion passed by a 5-0-1-1 vote with Mr. Anthony Muñoz absent and with President Ho abstaining.

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

President Ho invited members of the public to address the Board.

Mr. Bob Elson, Bullis Charter School Board Member, requested that the Bullis Charter School renewal be adgendized for a November meeting.

Consent Action Items

MOTION #1088-2 by Vice President Rummelhoff, seconded by Ms. Song, that the following Consent Action Items be approved as submitted:

- Request Approval of Minutes of Regular Meeting of October 4, 2006 (#1087)
- Request Approval of Submission of Non-Competitive 2006-2007 Grant Application to the Intel Corporation
- Request Approval of Early Intervention for School Success Program Non-Competitive Grant
- Request Approval of Purchase Order Exceeding \$100,000

MOTION #1088-2 carried a 6-0-0-1 vote with member Muñoz absent.

Public Hearing

Public Hearing on the Disclosure Statement of the Tentative Agreement between the County Superintendent of Schools and the Association of County Eduators/California Teachers' Association (ACE/CTA)

President Ho opened the hearing for public comment.

No one wished to address the Board at this time.

Public Hearing on South Bay Preparatory Charter School

President Ho opened the hearing and presented a brief statement on the charter petition.

The following petitioner gave a presentation on the qualities of the South Bay Preparatory Charter School:

- Mike Bollhorst, Executive Director, South Bay Preparatory Charter School

The following representative from the Campbell Union High School District discussed the Board's opposition to the petition:

- Dr. Rhonda Farber, Superintendent, Campbell Union High School District

The following individuals spoke in support of the South Bay Preparatory Charter School:

- Jerry Simmons, Spector, Middleton, Young & Minney, LLP
- Kelly Lambert, Board President, South Bay Preparatory Charter School
- Doug Garrett, teacher at Los Gatos High School
- Traci Rokhi, board member, South Bay Preparatory Charter School
- Felicia Gershberg, parent
- Brianna Rapa, student, Campbell Union School District
- Ceci Evangelista Faul, parent
- Steve Rapa, Advisory Board, South Bay Preparatory Charter School
- Stephanie Brown, parent
- Simon Lambert, Advisory Board, South Bay Preparatory Charter School
- Nick Driver, General Manager, California Charter Schools Association
- Tom Pounds, parent
- Brian Duckering, board member, South Bay Preparatory Charter School

The following individuals spoke against the South Bay Preparatory Charter School:

- Madalyn Perrine, parent, Campbell Union High School District
- Barbara Bringle, parent, Campbell Union High School District

Board members asked clarifying questions to staff, petitioner and school district and deliberated on the matter.

Recess

The Board recessed at 9:05 p.m. and reconvened at 9:21 p.m.

Public Hearing and Action

Public Hearing and Action to Reappoint Mr. Nicholas R. Gervase to the Santa Clara County Office of Education Personnel Commission for the Term — December 1, 2006 to November 30, 2009.

President Ho opened the hearing for public comment.

No one wished to address the Board at this time.

Superintendent Wilcox summarized the appointment process for the Personnel Commission.

MOTION #1088-3 by Vice President Rummelhoff, seconded by Ms. Song, that the Board announce its intent to appoint Mr. Gervase to the Santa Clara County Office of Education Personnel Commission for the term December 1, 2006 to November 30, 2009.

MOTION #1088-3 carried a 6-0-0-1 vote with member Muñoz absent.

Study Action

Rocketship One Charter Petition

President Ho invited members of the public to address the Board.

The following individuals spoke in support of Rocketship One Charter School:

- Lisa Corr, Law firm of Spector, Middleton, Young & Minney
- John Danner, Founder and CEO, Rocketship Education.

The following individuals spoke against the Rocketship One Charter School:

- Celia Ruiz, Legal Counsel for San Jose Unified School District
- John Yeh, Law firm of Miller, Brown & Dannis
- Leslie Reynolds, Board Member, San Jose Unified School District

Petitioners and school district answered questions from the Board.

MOTION #1088-4 by Dr. Evers, seconded by Vice President Rummelhoff that the County Board of Education does hereby conditionally approve the petition as stated in the “Resolution Conditionally Approving the Charter Petition of Rocketship One Public School”. (*resolution attached*)

The following roll call vote was taken:

AYE: President Ho, Vice-President Rummelhoff, members Song, Howard, Beauchman,  
and Dr. Evers  
NO: -none-  
ABSTAIN: -none-  
ABSENT: member Muñoz

MOTION #1088-4 carried a 6-0-0-1 vote with member Muñoz absent.

Request Approval of Monthly Financial Report, Budget Revisions for the Period Ending August 31, 2006

Doug Coffman, Director, Internal Business Services, presented an overview of the report.

MOTION #1088-5 by Mr. Beauchman, seconded by Ms. Song, that the Monthly Financial Report, Budget Revisions for the Period Ending August 31, 2006 be approved.

MOTION #1088-5 carried a 5-0-0-2 vote with members Muñoz absent and Dr. Evers temporarily left the room.

Discussion of an Official Statement to the Senate Select Committee's Public Hearing on Charter Schools

Board members discussed charter school issues.

Request Approval of Purchase Order Exceeding \$250,000

*(Anna Song left the meeting.)*

MOTION #1088-6 by Ms. Howard, seconded by Vice President Rummelhoff, that the request to approve purchase order exceeding \$250,000 be approved.

MOTION #1088-6 carried a 4-0-1-2 vote with members Muñoz and Song absent and Dr. Evers abstaining.

Resolution Recognizing October as Voter Education and Participation Month

MOTION #1088-7 by Ms. Howard, seconded by Mr. Beauchman, that the Board does hereby recognize October as Voter Education and Participation Month. *(resolution attached)*

The following roll call vote was taken:

AYE: President Ho, Vice-President Rummelhoff, members Howard, Beauchman  
NO: member Dr. Evers  
ABSTAIN: none  
ABSENT: members Muñoz and Song

MOTION #1088-7 carried a 4-1-0-2 vote with Dr. Evers voting no and members Muñoz and Song absent.

Information Items

Santa Clara County Board of Education Reports on Visitations and/or Interactions

This item was tabled.

Establishment of Position

Superintendent Wilcox explained the establishment of a position.

Board Committee Reports

There were no Board committee reports.

County Board of Education Travel

There were no County Board of Education Travel reports.

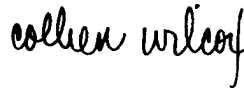
Superintendent's Report

There was no Superintendent report.

Adjournment

The meeting was adjourned at 10:50 p.m.

Respectfully submitted,



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

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