

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

APPROVED
May 15, 2013
Minutes of Regular Meeting #2120
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

Member Di Salvo requested to have Consent Action Items 12C, 12D and 12I pulled for further discussion.

MOTION #2120-1 by member Di Salvo to adopt the May 15, 2013 agenda with noted request. Member Song seconded the motion and it carried 4-0 with President Mah and member Hover-Smoot absent.

c. Pledge of Allegiance

Vice President Chang led the pledge of allegiance.

2. Student Recognition: Ruben Tapia, Mt. Pleasant High School, Migrant Education

Member Beauchman introduced Ruben Tapia, recipient of the SCCOE student recognition and presented him with an iPod and a plaque in recognition of his achievements. Member Beauchman introduced Mr. Robert Ibarra from Mt. Pleasant High School who spoke about Robert's impressive scholastic achievements and said he was very proud of him. Robert introduced his family and thanked the board for the recognition.

(President Mah and member Hover-Smoot arrived at approximately 5:16 p.m.)

3. Nominees for Classified Employee of the Year

Dr. Xavier De La Torre, County Superintendent of Schools, provided background on the State's Classified Employee of the Year program. President Mah and Dr. De La Torre introduced the six Santa Clara County nominees submitted by the SCCOE and presented a plaque to each nominee in recognition of their accomplishments. Nominees were: Natalie Rogerson, Cupertino Union School District, Category: Child Nutrition; Juan Flores, Metropolitan Education District, Category: Maintenance & Operations; Rocio Knight, San Jose Unified School District, Category: Para-Educator & Instructional Assistance; Alex Nguyen, Metropolitan Education District, Category: Support Services & Security; Sylvio Delucchi, Cupertino Union School District, Category: Transportation; Sylvia Orlowicz (not present at meeting), San Jose Unified School District, Category: Office and Technical.

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

No one wished to address the Board.

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

a. Conference with Legal Counsel – Existing Litigation

Name of Case: *Santa Clara County Board of Education v. W. Weis, et al.*, Santa Clara County

Case No: 1-12-CV-237595

Discussion of existing litigation pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9

b. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) Morgan Hill Economic Development Corp. et al. v. Office of the State Controller et al., Sacramento Superior Ct. Case No. 34-2012-80001284

c. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) Vinod K. Sharma et al. v. Successor Agency to the Redevelopment Agency of the City of Santa Clara et al., Sacramento Superior Ct. Case No. 34-2013-80001396

d. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) County of Santa Clara et al. v. Milpitas Economic Development Corp. et al., Sacramento Superior Ct. Case No. 34-2013-80001436

6. Report of Actions Taken in Closed Session

President Mah reported that in the matter of Closed Session Items 5A through 5D, there were no reportable actions.

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

Martha McClatchie, parent from Bullis Charter School (BCS), informed the Board that BCS students participated in the Annual Chinese Language Teachers Association of California Mandarin Speech contest, which was held in San Francisco on April 27.

8. Interview Applicant and Make Provisional Appointment to Santa Clara County Board of Education Trustee Area 6 – Applicant: Darcie Green

President Mah provided some background on the provisional appointment and explained the interview process.

The following individuals spoke in support of Darcie Green’s appointment:

- Chandra Brookes, NAACP
- Ann Grabowsky, Democratic Activists for Women Now

Ms. Green provided some background on her qualifications and answered questions from the Board.

MOTION #2120-2 by Vice President Chang to appoint Darcie Green to Trustee Area 6 to the Santa Clara County Board of Education. Member Beauchman seconded the motion and it carried 6-0.

9. Administering the Oath of Office

Dr. De La Torre administered the Oath of Office to newly appointed Darcie Green, Trustee, Area 6.

10. Correspondence

- Email, April 30, 2013, Elena Shea, Subject: Huttlinger Alliance Public Meeting
- Email, May 1, 2013, Doug Smith, Subject: Urgent: BCS meeting tonight (5/1) and tomorrow (5/2)
- Email, May 2, 2013, Ken Moore, Subject: Response to Doug Smith letter

11. Superintendent’s Report

- Met with Rick Simpson, Deputy Chief of Staff and Education Advisor to Assembly Speaker at the State Capitol
- Met with Senator Jim Beall at the State Capitol
- Met with Senator Bill Monning at the State Capitol
- Attended a roundtable discussion, hosted by Senator Jerry Hill, in Redwood City
- Toured the National Hispanic University that was hosted by Dr. David Lopez, President

- Attended Tom Torlakson's, State Superintendent of Schools, spring reception where his mid-term report was presented
- Attended the annual Migrant Education Speech & Debate Tournament
- Visited Weller Elementary School in Milpitas and met with Superintendent Cary Matsuoka
- Visited the El Dorado County Office of Education to learn more about their Alternative Education program

12. Consent Action Items

- a. Request Approval of Minutes of Regular Board Meeting of May 1, 2013 (#2119)
- b. Request Adoption of a Resolution in Support of the Week of May 19-25, 2013 as Classified School Employee Week
- e. Request Approval to Accept Non-Competitive Grant from The David and Lucile Packard Foundation for Transitional Kindergarten and Birth through Third Grade Efforts
- f. Request Approval to Accept Additional Grant Funding to Support the Student Mental Health Initiative
- g. Second Reading on Board Policy 1312.3 Uniform Complaint Procedures
- h. Request Approval of Purchase Order Exceeding \$100,000
- j. Adopt the 2012-13 Resolution According to the Provisions of Article XIII, Section 36 of the State to Approve Receipt and Use of Funds for Non-Administrative Salaries, Benefits and Any Other Costs
- k. Adopt the 2013-14 Resolution According to the Provisions of Article XIII, Section 36 of the State to Approve Receipt and Use of Funds for Non-Administrative Salaries, Benefits and Any Other Costs
- m. Acceptance of Donations

MOTION #2120-3 by member Di Salvo to approve Consent Action Items 9A-9B, 9E-H, 9J, 9K, and 9M. Member Song seconded the motion and it carried 7-0.

Lisa Corr, attorney for Magnolia Science Academy, reported on the cooperation from Magnolia Science Academy with the Santa Clara County Office of Education regarding the Notice of Concern as it pertains to Consent Item 12L.

- c. Request Adoption of Resolution Urging Passage of Senate Constitutional Amendment 3 (Leno)

Member Di Salvo spoke on the issue of school funding.

MOTION #2120-4 by member Di Salvo to adopt the resolution urging passage of Senate Constitutional Amendment 3 (Leno). Member Song seconded the motion and it carried 6-1 with member Hover-Smoot voting no.

d. Request Approval to Submit the Sequestration Revised Budget

MOTION #2120-5 by Vice President Chang to defer this item to the Special Board meeting of May 22, 2013 for a lengthier discussion. Member Di Salvo seconded the motion and it carried 7-0.

i. Recommend Approval of 2013-14 and 2014-15 MOU with Head Start

MOTION #2120-6 by Vice President Chang to defer this item to the Special Board meeting of May 22, 2013 for a lengthier discussion. Member Green seconded the motion and it carried 7-0.

l. Notice of Concern to be issued to Magnolia Science Academy—Santa Clara Countywide Benefit Charter School

Mr. Kim Onisko, CPA, introduced himself to the Board as the accountant for Magnolia Science Academy—Santa Clara Countywide Benefit Charter School.

MOTION #2120-7 by member Di Salvo to approve the issuance of the Notice of Concern to Magnolia Science Academy—Santa Clara Countywide Benefit Charter School. Member Song seconded the motion and it carried 7-0.

13. Public Hearing

a. Public Hearing on the Disclosure Statement of the Tentative Agreement for a Successor Contract between the County Superintendent of Schools and the Association of County Educators/California Teachers Association (ACE/CTA)

President Mah opened the hearing for public comment.

Dr. De La Torre briefly explained the tentative agreement.

Don Renwick, President of the Association of County Educators (ACE), provided a brief report on the tentative agreement between the County Superintendent of Schools and the Association of County Educators/California Teachers Association (ACE/CTA).

14. Public Hearing and Action

a. Conduct a Public Hearing to Receive Unrestricted Tier III Program Funds and Approve the Use of these Funds for any Educational Purpose to the Extent Permitted by Federal law

President Mah opened the hearing for public comment. No one wished to address the Board.

Ms. Micaela Ochoa, Chief Business Officer, answered questions from the Board.

MOTION #2120-8 by member Di Salvo to receive Unrestricted Tier III Program Funds and approve the use of these funds for any educational purpose to the extent permitted by federal law. Member Hover-Smoot seconded the motion and it carried 7-0.

15. Action Item

- a. Action on Request for Material Revisions to Rocketship Mateo Sheedy, Rocketship Sí Se Puedé, Rocketship Countywide (Los Sueños), Rocketship Discovery Prep, Rocketship 6 (Academy for Brilliant Minds), Rocketship 7 (Alma Academy), Rocketship 8, and Rocketship 9-28 Charter School Petitions Currently Authorized by the Santa Clara County Board of Education

Toni Cordova, Chief Strategy Officer, explained the request for material revision and answered questions. Thomas Morrel, from Berliner Cohen, also answered questions from the Board.

Barbara Hansen, board member, Rocketship Education, spoke on the merits of Rocketship Education.

Jessica Garcia-Kohl, Director of Community Development; D'Andre Walker, Associate Counsel; and Josh Mukhopadhyay, Counsel of Rocketship Education, answered questions from the Board.

MOTION #2120-9 by member Di Salvo to approve the request for a material revisions to Rocketship Mateo Sheedy, Rocketship Sí Se Puedé, Rocketship Countywide (Los Sueños), Rocketship Discovery Prep, Rocketship 6 (Academy for Brilliant Minds), Rocketship 7 (Alma Academy), Rocketship 8, and Rocketship 9-28 Charter School Petitions Currently Authorized by the Santa Clara County Board of Education. Member Beauchman seconded the motion and it carried 5-1-1 with member Song voting no and member Green abstaining.

16. Information Items

- a. Annual Report to the Board: Magnolia Science Academy—Santa Clara

Mr. Yilmaz Ak, Principal of Magnolia Science Academy, presented an annual report from Magnolia Science Academy—Santa Clara, along with his staff, and answered questions from the Board.

The following individuals spoke in support of Magnolia Science Academy:

- Laura Strandberg, parent
- Nick Blozan, parent

- David Kohls, parent
- Renata Pang, parent
- Pearl (no last name given), parent
- Mitchell Lipriano, parent
- Maria Aguilar, parent
- Mehmet Sen, parent
- Bruce LaFefra, parent
- Karen Zell, parent
- Jaya Gautam, parent
- Fatih Sarigoz, parent
- Tiffany Anderson, parent
- Alper H., parent
- Michelle Lee, parent

The Board broke for recess at 9:35 p.m. and reconvened into open session at 9:40 p.m.

b. Annual Report to the Board: ACE Charter School

Gregg Lippman, Executive Director of ACE Charter School, presented highlights from ACE Charter School's annual report and answered questions.

(Member Green left the meeting at approximately 10:15 p.m.)

CHANGE OF AGENDA

f. Dropout Recovery Presentation

Linda Aceves, Chief Schools Officer, presented an overview of the current high school dropout data. Mr. Jeff Korte, Regional Vice President with the Magic Johnson Bridgescape program, provided an overview of the program. Ms. Aceves and Yvette Irving, Director of Alternative Education Schools, answered questions from the Board.

c. Review of 2013-14 Budget Assumptions

Micaela Ochoa, Chief Business Officer, presented the 2013-14 budget assumptions and answered questions.

d. Employee Compensation Increase Exceeding the EC 1302(a) Limit

Dr. De La Torre explained the employee compensation increase.

e. Nutritional Services: Santa Clara County Office of Education Schools

Ms. Aceves introduced the nutritional services of the Santa Clara County Office of Education and Ms. Ochoa provided an update regarding nutritional services provided to the students directly served in SCCOE programs. Ms. Aceves and Ms. Ochoa answered questions.

(Member Hover-Smoot left the meeting at approximately 11:12 p.m.)

g. County Board of Education Members Reports

This item was tabled.

17. FUTURE AGENDA ITEMS

- Budget Workshop Part II, May 22 (Dr. De La Torre)
- Universal Preschool Update, June 19 (President Mah)
- Magnolia Update, June 19 (Dr. De La Torre)
- Discussion on Oversight Responsibilities for Charter Schools Approved by the Santa Clara County Board of Education (SCCBOE), June 19 (President Mah)
- Student Voices Presentation, June 19 (Member Beauchman)
- SCCOE Comparability Study by School Services of California, Aug 21 (President Mah)
- Update on Migrant Education at SCCOE, September 4 (President Mah)
- Board Strategic Planning Session (Dr. De La Torre)
- STRIVE and Collective Impact (Member Di Salvo)
- Parent Participation in California Community Schools (Member Di Salvo)

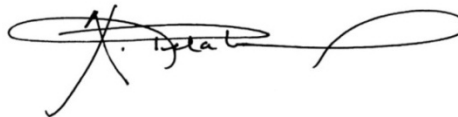
Additions to future agenda items:

- Brown Act Workshop, June 19 (President Mah)
- Charter School Annual Template, June 19 (President Mah)

18. ADJOURNMENT

The meeting adjourned at 11:16 p.m.

Respectfully submitted,



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

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