

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

APPROVED
Regular Meeting #2043
Board Room
July 15, 2009
5:00 p.m.

1. CALL TO ORDER

President Mann called the meeting to order at 5:05 p.m.

a. Roll Call

Trustees Present:

Grace Mah, Area 1
T.N. Ho, Area 2
Leon Beauchman, Area 3
Joseph Di Salvo, Area 4
Anna Song, Area 5
Craig Mann, Area 6
Jane Howard, Area 7

b. Pledge of Allegiance

President Mann asked member Mah to lead the pledge of allegiance.

c. Adoption of Agenda

Vice President Song requested that Consent Item 6.C. be removed and member Ho requested that Study Action Items 7.B and 7.C be combined for discussion.

MOTION #2043-1 by member Di Salvo that the agenda be adopted with mentioned requests from Vice President Song and member Ho. Vice President Song seconded the motion and it carried 7-0.

2. CLOSED SESSION

The Board adjourned into Closed Session at 5:05 p.m. to hear the following items:

- a. Conference with Legal Counsel – Anticipated Litigation (Gov Code 54956.9(b)) – Case A
- b. Conference with Legal Counsel – Anticipated Litigation (Gov Code 54956.9(b)) – Case B

- c. Subject Matter: Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Pleasant School District, Desired District: Alum Rock School District) Student A
- d. Subject Matter: Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Mount Pleasant School District, Desired District: Alum Rock School District) Student B
- e. Subject Matter: Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Moreland School District, Desired District: Los Altos School District)

Recess

The Board broke for recess at 6:23 p.m. and reconvened into Closed Session at 6:30 p.m.

OPEN SESSION – 7:02 p.m.

3. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

President Mann reported out in the following order:

In the matter of Agenda Item 2.E *Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Moreland School District, Desired District: Los Altos School District)*, there was a motion (#2043-2) by member Ho and seconded by member Mah, to deny the appeal based on the district's Factor 8 "*the financial impact of educating the pupil*" and the lack of affirmation, from the appellant's side, of Factor 3 "*a specialized and specific academic program or service, unavailable in the district of residence, but necessary to the pupil's career or academic objectives.*" The motion carried 7-0.

In the matter of Agenda Item 2.A. *Conference with Legal Counsel – Anticipated Litigation (Gov Code 54956.9(b)) – Case A*, there were no reportable actions.

In the matter of Agenda Item 2.B. *Conference with Legal Counsel – Anticipated Litigation (Gov Code 54956.9(b)) – Case B*, the Board has directed staff and legal counsel, Rogelio Ruiz, to continue to work on issues in the Snell Property matter and bring it to a successful closure.

In the matter of Agenda Item 2.C. *Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Mount Pleasant School District, Desired District: Alum Rock School District) Student A*, there was a motion (#2043-3) by member Ho and seconded by member Mah to uphold the appeal through 6th grade based on factor 3 "*a specialized and specific academic program or service, unavailable in district of residence, but necessary to the pupil's career or academic objectives.*" The motion carried 7-0.

In the matter of Agenda Item 2.D. *Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Mount Pleasant School District, Desired District: Alum Rock School District) Student*, there was a motion (#2043-4) by member Beauchman and seconded by Vice President Song to uphold the appeal through 6th grade based on factor 3 “*a specialized and specific academic program or service, unavailable in district of residence, but necessary to the pupil’s career or academic objectives.*” The motion carried 7-0.

Recess

The Board broke for recess at 7:04 p.m. and reconvened at 7:10 p.m.

4. PUBLIC COMMENTS OF PERSONS DESIRING TO ADDRESS THE BOARD OR TO PRESENT PETITIONS

President Mann opened the hearing for public comment.

No one wished to address Board President Mann or County Superintendent Weis.

5. CORRESPONDENCE

Letter dated July 8, 2009 from Jennifer Andaluz, Executive Director of Downtown College Prep, regarding “Request for Reconsideration of Charter Denial Downtown College Prep – Alum Rock Charter School.”

6. CONSENT ACTION ITEMS

c) Request Approval of Purchase Order Exceeding \$100,000

Dr. Weis and staff answered questions from the Board regarding the contract award process and verification process on bidders.

Joe Solorzano, field representative from the Foundation for Fair Contracting, addressed the Board about his concern on Terra Coast’s low bid as it relates to labor wages.

MOTION #2043-5 by member Beauchman that the Board approve Consent Item 6.C. Member Howard seconded the motion and it carried 4-3 with President Mann, Vice President Song and member Di Salvo voting no.

- a) Request Approval of Minutes of Regular Meeting of June 17, 2009 (#2042)
- b) Request Approval of County Superintendent’s Monthly Expenses
- d) Request Approval of Purchase Order Exceeding \$100,000
- e) Request Acceptance of Donations

MOTION #2043-6 by member Howard that the Board approve Consent Action Items A, B, D and E. Member Mah seconded the motion and it carried 7-0.

7. STUDY ACTION ITEMS

a. Request Approval of 2009-2010 Consolidated Application, Part I

Linda Aceves, Chief Academic Officer, explained the Consolidated Application, Part I, and answered questions.

MOTION #2043-7 by member Beauchman that the Board approve the 2009-10 Consolidated Application, Part I. Member Ho seconded the motion and it carried 7-0.

b. Adopt the Budget Revisions for the Period Ending May 31, 2009

Doug Coffman, Director of Internal Business Services presented the Budget Revisions for the Period Ending May 31, 2009 and answered questions on Study Action Item 7.B. and 7.C.

MOTION #2043-8 by member Ho that the Board adopt the Budget Revisions for the Period Ending May 31, 2009. Member Di Salvo seconded the motion and it carried 7-0.

c. Accept the Monthly Financial Report for the Period Ending May 31, 2009.

MOTION #2043-9 by member Ho that the Board accept the Monthly Financial Report for the Period Ending May 31, 2009. Member Di Salvo seconded the motion and it carried 7-0.

d. Second Reading of New Board Policies 6000 Instruction

Vice President Song reported that no changes were made from the first reading.

MOTION #2043-10 by member Beauchman that the Board approve the second reading of New Board Policies 6000 Instruction. Member Howard seconded the motion and it carried 7-0.

e. Request Approval of Purchase Order Exceeding \$250,000

Barbara Coats, Director of Risk Management, presented a summary of the purchase order covering the excess workers compensation and answered questions.

MOTION #2043-11 by member Beauchman that the Board approve the purchase order exceeding \$250,000 to Alliant Insurance Services. Member Howard seconded the motion and it carried 7-0.

8. INFORMATION / DISCUSSION ITEMS

a. County Fiscal Oversight of Districts

Cathy Grovenburg, Chief Business Officer and Nimrat Johal, Director of District Business and Advisory Services, presented an overview of the County Superintendent's responsibilities relative to fiscal oversight of school districts within the county and the process for reviewing and monitoring. Dr. Weis provided an update on completed and ongoing AB139 investigations in Santa Clara County. Ms. Grovenburg, Ms. Johal and Dr. Weis answered questions from the Board.

(Member Howard left the meeting. 9:40 p.m.)

b. Region 5 O•Zone

Dr. Weis introduced the online instructional program, O•Zone, and applauded Linda Aceves, Chief Academic Officer and Craig Blackburn, Director of Educational Technology for spearheading the program. Ms. Aceves provided a brief background and Mr. Blackburn and Kelly Wade, Coordinator of O•Zone Online Opportunities & Options gave a summary on the O•Zone features.

c. Alternative Schools Department Update

Joe Fimiani, Chief Schools Officer, presented an update on location and enrollment at SCCOE's alternative schools and answered questions.

d. County Committee on School District Organization

Dr. Cary Dritz, Deputy Superintendent, reported on actions taken at the July 13 County Committee on School District Organization's meeting.

e. Board Committee Reports

Vice President Song

Policy Development Subcommittee

- Attended a Policy Redevelopment Subcommittee meeting

Grace Mah

Policy Development Subcommittee

- Attended a Policy Redevelopment Subcommittee meeting

Leon Beauchman

California County Boards of Education (CCBE) Board of Directors

- Announced an upcoming CCBE conference in September

f. County Board of Education Member Reports

Joseph Di Salvo

- Attended a Charter School Task Force meeting

Grace Mah

- Attended a Charter School Task Force meeting

T.N. Ho

- Attended a Chinese Consulate reception for the People Republic of China's Minister of Taiwan affairs
- Spoke on Chanel 26 KTSF about the new character education initiative in Taiwan
- Spoke on SingTao radio station about the new UC admissions requirements
- Interviewed by the World Journal on the Luther Burbank article

Leon Beauchman

- Attended the National Association for the Advancement of Colored People (NAACP) Leadership Academy graduation

Anna Song

- Attended a Charter School Task Force meeting

Craig Mann

- Continue to be in constant communication with Dr. Weis
- Announced he passed the Praxis Teachers Foundation Exam

g. County Superintendent's Report:

Dr. Weis presented the following information relative to the activities of the Office:

- Letter dated June 15, 2009, from Superintendent Bob Nunez of East Side Union High School District, to Ms. Soza-Mendiola and Mr. Guel of MACSA Academia Calmecac Charter School, regarding the district's intent to revoke the charter school – Dr. Weis was copied on the letter
- Letter dated June 25, 2009, from Superintendent Deborah Flores of Gilroy Unified School District to Ms. Barkley of the Charter Schools Division of the California Department of Education, regarding the notice of closure of MACSA El Portal Leadership Academy Charter School – Dr. Weis was copied on the letter
- Letter dated July 2, 2009 to Dr. Weis from Congressman Mike Honda, congratulating SCCOE on being awarded \$1,233,705 in federal funds through the U.S. Department of Health and Human Services (HHS).

- “Williams v. California: A Progress Update,” ACLU, May 2009
 - “Career Technical Education Provides Pathways for the 21st Century,” by Dr. Weis, The Bell, Volume 12, Issue 5, Summer 2009
 - Asian Pacific Celebration, Los Gatos Weekly-Times, July 7, 2009
 - Magnolia Charter School – will not open in the fall of 2009 but will open in the fall of 2010 due to inability to obtain facilities
 - State Budget Update
 - Percentages and Ratios for Institutional Schools 2008-2009 – May 27 through July 8
 - Children Services Department – Head Start Program ... Progress Report as of June 15
 - Attendance & Enrollment for Community Schools – reports dated: June 25 and July 1, 2009
 - An educational gift to Board President Mann from K-6 students of Luther Burbank School District – Bounded letters written to President Obama as a community project
 - Luther Burbank School District
9. FUTURE AGENDA ITEMS
- Gang Prevention – September 2
 - Resolution for the Department of Peace and Non-Violence – September 2
10. ADJOURNMENT

The meeting adjourned at 10:37 p.m.

Respectfully submitted,



Dr. Charles Weis, County Superintendent of Schools
Ex-Officio Secretary

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