

Agenda materials are available in the Superintendent's Office upon request. An asterisk (*) indicates agenda materials that are available in the Superintendent's Office.

Members of the public may address the Board of Education on any issue or any item on the agenda. If you wish to address the Board, please fill out the form provided for this purpose.

Individuals requiring special accommodations (American Sign Language interpreter, accessible seating, documentation in accessible formats, etc.) should contact the Superintendent's Office at least two working days before the meeting date.

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

AGENDA
Regular Meeting #2046
Board Room
September 16, 2009
5:00 p.m.

1. CALL TO ORDER
 - A. Roll Call (Including Action on Absences if Necessary)
 - B. Pledge of Allegiance
 - C. Adoption of Agenda
2. Recognition of COE Teacher of the Year for 2009: Josephine Dalit, Head Start Teacher, Santee School
3. Don Christopher Recognition
4. Per Education Code §45246, [Announce the Board of Education's Intent to Reappoint Mr. Nicholas Gervase](#) to the Personnel Commission on October 21, 2009
The Personnel Commission is an independent body comprised of three persons appointed for three year terms. Commissioners must be residents and registered voters of Santa Clara County. The Personnel Commission oversees Classified Personnel Services and the administration of classified recruitment, employment testing, job classification, compensation, layoff and reemployment as well as hearings and appeals for classified employees. Appointments to the Commission are made either by the Board of Education, SEIU Local 521 or the other two commissioners.

CLOSED SESSION: APPROXIMATELY 5:15 P.M.

5. The Board will hold a Closed Session to consider the following item:
 - A. Hearing
Subject Matter: Interdistrict Transfer Appeal Filed on Behalf of Student (Resident District: Santa Clara Unified School District, Desired District: Milpitas Unified School District)
 - B. Hearing
Subject Matter: Expulsion Appeal Filed on Behalf of Student (Resident District: San Jose Unified School District)

OPEN SESSION: WILL START IMMEDIATELY FOLLOWING CLOSED SESSION

6. Report of actions taken in Closed Session

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

At this time members of the public may address the Board on any issue within the subject matter jurisdiction of the Board or agenda item. Members of the public may also address the Board on an agenda item before or during the Board's consideration of the item. No action can be taken on an item not on the agenda at this time, but may be referred to the administration or put on a future agenda. In accordance with Board Bylaw 8370, individual remarks will be limited to 3 minutes each, unless otherwise stipulated.

8. CORRESPONDENCE

Correspondence addressed to the Santa Clara County Board of Education.

Correspondence addressed to individual board members will be mailed to them directly.

- Email dated September 4, 2009 from Terri Balandra, addressed to Board of Education and Dr. Weis, titled "Wednesday's Board Meeting Regarding Item 9B, Sunol Court"
- Letter dated September 3, 2009, addressed to Dr. Charles Weis and Board of Education, regarding prime contractor: Terracoast Incorporated, Project: Foundry Relocatables

9. CONSENT ACTION ITEMS

- * A. [Request Approval of Minutes of Regular Meeting of September 2, 2009](#) (#2045)

10. PUBLIC HEARING AND ACTION

- * A. [Public Hearing to Change Tier III Program Funds to Unrestricted Accounts and Approve a Change in Use of Funds for Specific Programs](#)

To provide flexibility for school districts and county offices the 2009-10 Budget Act required that Tier III programs be accounted for as unrestricted funds. Administration recommends approval of new uses of funds for the specified programs on attachment B.

11. STUDY ACTION ITEMS

- * A. [2009-10 State Budget Revision and Workers Compensation Reserve Refund](#)

The Governor signed the final 2009-10 State Budget Act on July 28, 2009. In compliance with California Education Code 1622 (e)(3), we are reporting on revisions in revenues that will be made to the SCCOE's budget in order to reflect the funding included in the Budget Act. This budget resulted in additional reductions to SCCOE revenues. Administration recommends approval of 1) proposed solutions to use Fund 920, 940, 990 reserves and Fund 800 surplus as described on the attachment to resolve the State budget revenue reduction and 2) the workers compensation refund to all programs.

- * B. [Second Reading of New Board Policies 6000 Instruction](#)
Vice President Song, on behalf of the Policy Development Subcommittee, will present the Second Reading of New Board Policies 6000 Instruction. Administration recommends adoption of the New Board Policies 6000 Instruction.
- * C. [Second Reading of New Board Policy 6146.1 on High School Graduation Requirements](#)
Vice President Song, on behalf of the Policy Development Subcommittee, will present the second reading of the new Board Policy 6146.1 on High School Graduation Requirements. Administration recommends adoption of the new Board Policy 6146.1 on High School Graduation Requirements.
- * D. [Request Approval of Bridge Financing for Foothill High School Project](#)
Design of the Foothill School project began in March 2006, with an estimated cost for completion of \$3,750,000. We were notified approximately a year ago that we would be funded for \$2,871,746 which represents sixty percent of our eligibility under the financial hardship designation. We immediately initiated the appeal process to receive the remaining \$878,254. We were notified in May 2009 that the Office of Public School Construction (OPSC) had approved our appeal and would be forwarding our request to the State Allocation Board (SAB) for consideration at its August meeting. While the SAB approved our funding request, the Dept of Finance earlier restricted OPSC from releasing funds for approved projects until the current budget situation is resolved. SCCOE has sufficient funds available in Fund 801 – Unrestricted Facilities Fund to support an interfund transfer for the amount needed to complete the Foothill project. Administration recommends approval of bridge financing for an interfund transfer from Fund 801 to Fund 350 for completion of the Foothill High School project.
- * E. [Request Approval of Purchase Order Exceeding \\$100,000](#)
Study Action Items E through J relate to the same new school construction of the Santa Clara County Office of Education (SCCOE) at Foothill High School. The 9,370 sq. ft. structure will provide educational facilities for thirty (30) special education students who are enrolled in the program for the emotionally disturbed. The reason these items are coming separately (multi-prime method) is in order to save approximately 15 per cent of construction costs. This purchase order will cover roofing work at Foothill High School. The lowest responsible selected bidder is Andy's Roofing Co. Administration recommends approval of purchase order exceeding \$100,000 for Andy's Roofing Co to conduct the specified work.
- * F. [Request Approval of Purchase Order Exceeding \\$100,000](#)
This purchase order will cover grading, paving and underground utilities work at the SCCOE Special Education program at Foothill High School. The lowest responsible selected bidder is Granite Rock/Pavex. Administration recommends approval of purchase order exceeding \$100,000 for Granite Rock/Pavex to conduct the specified work.
- * G. [Request Approval of Purchase Order Exceeding \\$100,000](#)
This purchase order will cover concrete work at the SCCOE Special Education program at Foothill High School. The lowest responsible selected bidder is J.J. Albanese. Administration recommends approval of purchase order exceeding \$100,000 for J.J. Albanese to conduct the specified work.

- * H. [Request Approval of Purchase Order Exceeding \\$250,000](#)
This purchase order will cover electrical work at the SCCOE Special Education program at Foothill High School. The lowest responsible selected bidder is Radiant. Administration recommends approval of purchase order exceeding \$250,000 for Radiant to conduct the specified work.
- * I. [Request Approval of Purchase Order Exceeding \\$250,000](#)
This purchase order will cover mechanical and plumbing work at the SCCOE Special Education program at Foothill High School. The lowest responsible selected bidder is Trahan. Administration recommends approval of purchase order exceeding \$250,000 for Trahan to conduct the specified work.
- * J. [Request Approval of Purchase Order Exceeding \\$250,000](#)
This purchase order will cover general trades work at the SCCOE Special Education program at Foothill High School. The lowest responsible selected bidder is John Plane. Administration recommends approval of purchase order exceeding \$250,000 for John Plane to conduct the specified work.
- * K. [Request Approval of Purchase Order Exceeding \\$250,000](#)
The Special Education Department is updating technology access for students. The department will use Title 1 funds to purchase desktop computers for classrooms, labs and as replacements. This purchase order will cover 210 computers for students in the Special Education Schools. Computers will be purchased with Western Blue. Administration recommends approval of purchase order exceeding \$250,000 for Western Blue.

12. INFORMATION / DISCUSSION ITEMS

- * A. [First Reading of New Board Policies 6000 Instruction](#)
Vice President Song, on behalf of the Policy Development Subcommittee, will present the new Board Policies 6000 Instruction and recommends adoption at the next meeting.
- * B. [First Reading of New Board Bylaw 9150 and Revised Board Bylaw 9110](#)
Vice President Song, on behalf of the Policy Development Subcommittee, will present the New Board Bylaw 9150 and Revised Board Bylaw 9110 and recommends adoption at the next meeting.
- * C. [First Reading of Revised Board Bylaw 9250 \(formerly Board Bylaw 8260\)](#)
Vice President Song, on behalf of the Policy Development Subcommittee, will present the Revised Board Bylaw 9250 and recommends adoption at the next meeting.
- D. County Committee on School District Organization
Staff will provide updates concerning the activities of the Santa Clara County Committee on District Organization
- E. Board Committee Reports on:
Committee members may provide or report on recent committee activities.
 1. Budget Study Committee (*Dr. Charles Weis*)
 2. Policy Development Subcommittee (*Vice-President Song*)
 3. Joint Legislative Advisory Committee (*no current chair*)

4. Santa Clara County Regional Occupational Program (SCCROP) Operations Committee (*Member Howard*)
5. Head Start Policy Council (*Member Mah*)
6. Santa Clara County School Boards Association Executive Board (*Member Di Salvo*)
7. Joint Committee on Child Care (JCCC) (*Member Howard*)
8. California School Boards Association (CSBA) Delegate (*Member Beauchman*)
9. California County Boards of Education (CCBE) Board of Directors (*Member Beauchman*)
10. Juvenile Justice System Collaborative (JJSC) (*Member Beauchman*)

- F. County Board of Education Member Reports
The members of the Board may give reports on any activities related to their duties as members of the Santa Clara County Board of Education.
- G. County Superintendent's Report
The county superintendent will give reports on any activities related to his duties as the County Superintendent of Schools.

CLOSED SESSION

13. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: County Superintendent of Schools

(Government Code Section 54957(b)(1) permits Boards to conduct a closed session for evaluation of performance of a public employee.)

OPEN SESSION

14. Report of actions taken in Closed Session

15. FUTURE AGENDA ITEMS

Requested items by Board members may be addressed at this time.

- Alternative Schools—New Vision, November 18

16. ADJOURNMENT

The next Board of Education meeting is scheduled for October 7, 2009. For Board agendas and meeting minutes please see our Web site at www.sccoe.org.