

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 #2048  
Board Room  
October 21, 2009  
**5:05 p.m.**

1. CALL TO ORDER
  - A. Roll Call (Including Action on Absences if Necessary)
  - B. Pledge of Allegiance
  - C. Adoption of Agenda
  
2. SCCOE STUDENT OF THE MONTH: Helen Yu, Leigh High School, Special Education Dept
  
3. MICHAEL J. DELMONICO RECOGNITION, President and CEO of Santa Clara County Federal Credit Union
  
4. \* [Santa Clara County Office of Education 2008-2009 Annual Financial Audit Report](#)  
*In accordance with Board Policy 3410 an annual audit of the books and records of the Santa Clara County Office of Education (SCCOE) was conducted for the fiscal year ended June 30, 2009. The auditors opined that the financial statements present fairly the financial position of the SCCOE at June 30, 2009.*
  
5. PUBLIC HEARING AND ACTION
  - \* A. [Public Hearing and Action to Reappointment Mr. Nicholas R. Gervase to the Santa Clara County Office of Education Personnel Commission for the Term – December 1, 2009 to November 30, 2012.](#)  
*On September 2, 2009, the County Board of Education announced its intent to reappoint Mr. Nicholas R. Gervase as the County Office's representative to the Personnel Commission for the term beginning December 1, 2009 through November 30, 2012. Pursuant to Education Code §45256, the Board must hold a public hearing on its intention to reappoint Mr. Gervase. Administration recommends reappointment of Mr. Nicholas Gervase.*

- \* B. [Public Hearing and Action to approve Waiver to the State Board of Education](#)  
*The Santa Clara County Board of Education is requesting a waiver to strike out a section in Education Code Section 2558 that identifies excess property taxes as restricted and not available for expenditure during the current fiscal year. This waiver would allow SCCOE to protect vital services to schools and students in need that would otherwise be reduced or eliminated. Administration recommends approval of waiver proposal for placement on the agenda of the State Board of Education's January 2010 agenda.*

**CLOSED SESSION**

- 6. 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: Franklin-McKinley School District, Desired District: San Jose Unified School District)

**OPEN SESSION: WILL START IMMEDIATELY FOLLOWING CLOSED SESSION**

- 7. Report of actions taken in Closed Session
- 8. 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.*
- 9. CORRESPONDENCE  
*Correspondence addressed to the Santa Clara County Board of Education.  
Correspondence addressed to individual board members will be mailed to them directly.*
- 10. CONSENT ACTION ITEMS
  - \* A. [Request Approval of Minutes of Regular Meeting of October 7, 2009 \(#2047\)](#)
  - \* B. [Request Acceptance of Grant Award Notifications](#)  
*The Santa Clara County Office of Education has received Grant Award Notifications from the California Department of Education for: Migrant Education Program and 2009-10 Preschool Desired Results. Administration recommends acceptance of grant award notifications.*

## 11. STUDY ACTION ITEMS

- \* A. [Request to Approve the Contracts for the Operation of the Following Charter Schools:](#)  
1) ACE Charter School 2) Bullis Charter School 3) Discovery Charter School  
4) Leadership Public Schools – San Jose 5) Rocketship Mateo Sheedy Elementary School 6) Rocketship Si Se Puede Academy 7) South Bay Preparatory Academy  
8) University Preparatory Academy for the period July 1, 2009 to June 30, 2010.  
*The charters were approved with a requirement that the Superintendent negotiate a contract. Staff has worked with each charter school to negotiate a contract of operation for the period July 1, 2009 to June 30, 2010. Administration recommends approval of each of the contracts for the charter schools.*
- \* B. [Second Reading and Adoption 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 and Adoption 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. [Second Reading and Adoption of New Board Bylaw 9150 and Revised Board Bylaw 9110](#)  
*Vice President Song, on behalf of the Policy Development Subcommittee, will present the second reading of New Board Bylaw 9150 and Revised Board Bylaw 9110. Administration recommends adoption of New Board Bylaw 9150 and Revised Board Bylaw 9110.*
- \* E. [Second Reading and Adoption of Revised Board Bylaw 9250 \(formerly Board Bylaw 8260\)](#)  
*Vice President Song, on behalf of the Policy Development Subcommittee, will present the second reading of Revised Board Bylaw 9250. Administration recommends adoption of Revised Board Bylaw 9250.*

## 12. INFORMATION

- \* A. [Sunol Property Agreement](#)  
*Member Beauchman has requested a copy of the Sunol property agreement and associated attorney's costs.*
- \* B. [Conflict of Interest](#)  
*Member Beauchman requested a legal opinion regarding the legality or ethics of school board members accepting gifts and/or accepting or soliciting contributions from persons or groups doing business before the Board.*

- \* C. [STAR Data Release for Santa Clara County](#)  
*The California Department of Education annually releases Accountability Progress Reports for all school districts and county offices of education statewide. This report will highlight this year's test results.*
- \* D. [Report on Staff Diversity at the Santa Clara County Office of Education](#)  
*This annual report provides information regarding the diversity of the Santa Clara County Office of Education's workforce.*
- \* E. [Human Resources Summary](#)  
*The total number of positions has increased over the years largely due to the growth of our special education programs and needs of the students served. The vacancy rate in 2000 was 18.9 percent and in 2009 is 5.3 percent, reflecting a decrease of 13.6 percent over the last ten years.*
- \* F. [Williams Complaint Report](#)  
*Complaints filed for SCCOE school sites under the Williams Settlement are limited to insufficient textbooks or instructional materials, unsafe or unhealthy facility conditions or teacher vacancies or misassignments. No Williams complaints were received during the July 1 through September 30, 2009 reporting period.*
- \* G. [First Reading of New 4000 Personnel Board Policies](#)  
*Vice President Song, on behalf of the Policy Development Subcommittee, will present the First Reading of New 4000 Personnel Board Policies and recommends adoption at the next meeting.*
- \* H. [First Reading of New Board Bylaws 9000](#)  
*Vice President Song, on behalf of the Policy Development Subcommittee, will present the First Reading of New Board Bylaws 9000 and recommends adoption at the next meeting.*
- \* I. [Board Members report on Visitations and Interactions with District Boards](#)  
*Board Policy 1520 states that "County Board members shall report on their visits and/or interactions with district boards at the first regularly scheduled Board meeting in October of each year."*
- J. County Committee on School District Organization  
*Staff will provide updates concerning the activities of the Santa Clara County Committee on District Organization*
- K. 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*)

- L. 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.*
- M. 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 November 4, 2009. For Board agendas and meeting minutes please see our Web site at [www.sccoe.org](http://www.sccoe.org).*