

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

APPROVED

Regular Meeting #2075

Closed Session 4:00 – 5:00 p.m. — Board Room

Open Session 5:00 p.m. — San Jose Conference Room

March 16, 2011

1. Closed Session 4:00 p.m. to 5:00 p.m.

The Board adjourned into Closed Session at 4:00 p.m. to hear the following item:

- A. Public Employee Performance Evaluation
Title: County Superintendent of Schools

OPEN SESSION – 5:11 p.m.

2. Report of Actions Taken in Closed Session

President Di Salvo reported that, in the matter of Agenda Item 1.A. Public Employee Performance Evaluation, Title: County Superintendent of Schools, there were no reportable actions.

3. Call to Order

President Di Salvo called the meeting to order at 5:11 p.m.

Roll Call

Members Present:

Grace Mah, Area 1
Michael Chang, Area 2
Leon Beauchman, Area 3
Joseph Di Salvo, Area 4
Anna Song, Area 5
Craig Mann, Area 6
Julia Hover-Smoot, Area 7

- b. Pledge of Allegiance

President Di Salvo asked Betzy Barron, teacher, to lead the pledge of allegiance.

President Di Salvo asked for a moment of silence and dedicated the meeting to our neighbors in Japan.

c. Adoption of Agenda

Member Mah requested to have Consent Action Item 8.D. "Request Adoption of Resolution in Support of Wisconsin's Public Employees" pulled for discussion.

Member Song requested to have Consent Action Item 8.E. "Request Approval of 2011-2012 Comprehensive School Safety Plans" pulled for discussion.

President Di Salvo requested to have Consent Action Item 8.F. "Request Approval of 2011-12 Indirect Rates" pulled for discussion.

MOTION #2075-1 by member Mann to approve the agenda with noted requests. Vice President Chang seconded the motion and it carried 7-0.

4. SCCOE Student Recognition: Jesse Alonso, Redemption Academy Community School, Alternative Education Program

President Di Salvo introduced Jesse Alonso, recipient of the SCCOE student recognition, and presented him with an iPod and a plaque in recognition of his achievements. President Di Salvo introduced Jodi Disario, Principal at Redemption Academy Community School who spoke about Jesse's outstanding traits and thanked him for supporting students and staff. Jesse thanked the Board for the recognition and recognized his mother who was in attendance.

5. County Superintendent Report

- Attendance & enrollment for community schools, February 8 – March 2, 2011
- Head Start monthly reports to the board, January – February 2011
- SCCOE's Head Start/Early Start program received a perfect score in a federal compliance review
- SCCOE received a design award for Anne Darling Annex School
- Demographics for non-reelect staff

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

Ms. Faye Arnold asked questions regarding the recruitment of teachers and aides hired from the Philippines.

7. Correspondence

There was no correspondence.

8. Consent Action Items

- a. Request Approval of Minutes of Regular Board Meeting of March 2, 2011 (#2074)
- b. Request Approval of Superintendent's February 2011 Expenses
- c. Request Adoption of Resolution in Support of April 3-9, 2011 as National Workplace Wellness Week
- g. Accept the Monthly Financial Report for the Period Ending December 31, 2010

MOTION #2075-2 by member Mann that the Board approve Consent Action Items 8.A, 8.B, 8.C and 8.G. Member Mah seconded the motion and it passed unanimously.

9. Discussion & Information

a. Alternative Education Study Session Roundtable

The Board engaged in a roundtable discussion with representatives from multiple organizations and agencies that work with the Alternative Education Department. The following organizations were in attendance:

- Dana Bunnett, Executive Director, Kids in Common
- Irene Chen, Director, Tzu Chi
- Robert De Jesus, Manager, Probation
- Laura Garnette, Deputy Chief, Probation
- Dr. Barry Groves, Superintendent, Mt. View-Los Altos School District
- Esther Mota, Mayor's Gang Prevention Task Force
- Sheila Mitchell, Chief, Probation
- Richard Mock, Pastor, Cathedral of Faith
- Terry Peluso, Executive Director, Campbell Union High School District
- Mark Buller, Assistant District Attorney, Santa Clara County
- Jose Salcido, Senior Policy Advisor, Public Safety, San Jose Mayor's Office
- Conrad Solarez, School Based Program Manager, California Youth Outreach (CYO)
- Ron Soto, Executive Director, CYO
- John Spicer, Lieutenant, San Jose Police Department
- Judge Patrick Tondreau, Superior Court Santa Clara County
- Dr. Debbie Touns, Director of Student Services, Gilroy Unified
- Peter Ellis, Community Crime Prevention Associates

(The Board broke for recess @ 7:34 p.m. and reconvened into Open Session at 7:45 p.m.)

Member Song requested to be excused from the Special Board meeting of March 10, 2011 due to a family emergency.

MOTION #2075-3 by member Mann to excuse member Song from the Special Board Meeting of March 10, 2011. Member Hover-Smoot seconded the motion and it passed unanimously.

10. PUBLIC HEARING

- a. Public Hearing and Sunshine on the Initial proposal for a Successor Agreement from the County Superintendent of Schools to the Association of County Educators (ACE)/California Teachers Association (CTA)

President Di Salvo opened the hearing for public comments.

April Carlson, President of the Association of County Teachers (ACE) stated that she had read the SCCOE's proposal and stated that it is only fair that all of us in education share the burden in these economic times.

11. ACTION ITEMS

- a. Decision on the Charter School Petition for Communitas Charter High School

President Di Salvo explained the decision process and Dr. Lucretia Peebles, Director of the Charter Schools Department, provided a background on the Communitas Charter High School petition. The Board's attorney, Mr. Ed Sklar of Lozano Smith Attorneys at Law, answered questions from the Board.

Petitioners Theodore Timpson, Bill Gould and Peeyush Jain, addressed previous concerns raised by the Board.

(The Board broke for recess @ 8:13 p.m. and reconvened into Open Session at 8:17 p.m.)

The following individuals spoke in support of Communitas Charter High School:

- Amy Mohsin, parent
- David Laughlin, student
- Daniel Paley, parent
- Barbara Knaster, parent

(The Board broke for recess @ 9:35 p.m. and reconvened into Open Session at 9:41 p.m.)

MOTION #2075-4 by member Beauchman to grant the charter petition of Communitas Charter High School based upon the findings required under Education Code 47605.6. If the following conditions are not met, it will be deemed a violation of the charter and the County Board of Education may pursue revocation of the charter: Condition #1 the petitioner shall enter into a signed lease of the charter facilities no later than 90 days prior to opening and the commencement of operations; Condition #2 the petitioner agrees not to seek facilities under Proposition 39 from any school district for the first two years of operation, and if they do seek Prop 39 facilities within that time, they agree to pay market rate for all of the square footage; Condition #3 the petitioner agrees to enter into an operational contract and special education contract within 60 days to clarify any remaining points. Member Hover-Smoot seconded the motion and it carried 7-0.

(The Board broke for recess @ 9:50 p.m. and reconvened into Open Session at 9:54 p.m.)

- b. Request Approval for Material Revision to Silicon Valley Flex Academy Charter Petition and Discussion/Action Regarding Amendment to Language in the Charter Petition and Extension of Opening to Fall 2012

Dr. Peebles provided a summary of the material revision request and the extension of the opening year for Silicon Valley Flex Academy Charter. Mark Kurshner, executive director of Silicon Valley Flex Academy Charter presented his request and answered questions.

Vince Carrillo, parent, spoke in support of Silicon Valley Flex Academy Charter

MOTION #2075-5 by member Mann that the Board approve the material revision to the Silicon Valley Flex Academy petition for the change in location and the extension of the opening year. Member Hover-Smoot seconded the motion and it passed unanimously.

- c. Request to Submit the Tobacco Use Prevention and Education (TUPE) Competitive Grant

MOTION #2075-6 by member Mann to approve the submission of the Tobacco use Prevention and Education (TUPE) competitive grant. Member Hover-Smoot seconded the motion and it passed unanimously.

d. Adopt the Budget Revisions for the months of November and December 2010

Kenneth Shelton, Chief Business Officer, answered questions from the Board.

MOTION #2075-7 by member Song to adopt the budget revisions for the months of November and December 2010. Member Mann seconded the motion and it passed unanimously.

e. 2010-11 Alternative Education Institutions (Juvenile Court Schools) and Community Schools Budget Update and Approval to Transfer Alternative Schools Division Costs to One-Time Title 1, Title 1 ARRA, Education Jobs Funds and Tier III Flexed Accounts

Karen Spychala, Secretary for the Association of County Educators (ACE) inquired about ACE's negotiations regarding the monies from the Education Job Fund.

Board members deliberated.

MOTION #2075-8 by member Mann to approve to transfer Alternative Schools Division costs to one-time Title 1 & Title 1 ARRA and transfer tier III Flexed Funds and exclude the transfer costs to one-time Education Job Funds of \$650,000, which will be brought back to the Board to a future meeting. Member Hover-Smoot seconded the motion and it passed unanimously.

CHANGE IN AGENDA

8. CONSENT ACTION ITEMS

d. Request Adoption of Resolution in Support of Wisconsin's Public Employees

Member Mah wanted to understand how the 'Resolution in Support of Wisconsin's Public Employees' served the students in Silicon Valley.

MOTION #2075-9 by member Song that the board adopt the resolution in support of Wisconsin's Public Employees. Member Mann seconded the motion and it carried 4-2-1 with members Mah and Hover-Smoot voting no and member Beauchman abstaining.

e. Request Approval of 2011-12 Comprehensive School Safety Plans

Member Song inquired into the outdated phone numbers and dates on the Muriel Ranch safety plan.

MOTION #2075-10 by member Song that the board approve the 2011-12 comprehensive school safety plans for James Ranch, Muriel Wright, Novo Community, Odyssey Community, Pathfinder Academy, Redemption Academy, Santa Clara Community, Stonegate Community, View Side Academy and Santa Clara County Special Education. President Di Salvo seconded the motion and it carried 6-0-1 with member Mann absent who had temporarily stepped away from his desk.

f. Request Approval of 2011-12 Indirect Rates

Board members deliberated on the 2011-12 indirect rates.

MOTION #2075-11 by member Song that the Board approve the 2011-12 indirect rates for all programs except for the Head Start program and the Alternative Schools program, which will stay at a 7.50 indirect rate. President Di Salvo seconded the motion and it failed by a vote of 3-3-1 with members Beauchman, Hover-Smoot and Mah voting no and member Mann abstaining.

MOTION #2075-12 by member Mah that the Board approve the 2011-12 indirect rates as presented and have each program division report where the monies would be needed. Member Hover-Smoot seconded the motion and it carried 5-2 with President Di Salvo and member Song voting no.

12. INFORMATION ITEMS

a. Discussion of Board Priorities for the Year

This item was tabled

b. SCCOE Board Budget and Expenditure Patterns

This item was tabled.

c. Board Committee Reports

This item was tabled.

d. County Board of Education Member Reports

This item was tabled.

13. FUTURE AGENDA ITEMS

- Champions for Leadership Program (Grace Mah)
- Branch department presentations, (Grace Mah)
- Civil Grand Jury report on School District Consolidation (Joseph Di Salvo)
- Discussion on having a meeting between the County Board of Education and the County Board of Supervisors
- County Superintendent Contract Extension (Board of Education)

13. ADJOURNMENT

The meeting adjourned at 10:47 p.m.

Respectfully submitted,



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

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