

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

APPROVED
Regular Meeting #2068
Board Room
November 3, 2010
5:05 p.m.

1. CALL TO ORDER

President Song called the meeting to order at 5:10 p.m.

Roll Call

Members 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
Damariz Reyes, Student Board Member

b. Pledge of Allegiance

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

c. Adoption of Agenda

Member Ho requested to be excused from the Special Board meeting of October 13, 2010, which he had previously requested.

MOTION #2068-1 by member Mann that the Board excuse member Ho from the Special Board meeting of October 13, 2010. Member Howard seconded the motion and it carried 7-0 with student board member Reyes voting yes.

Member Mah suggested to have Study Action Item 10.E. "*Discussion and Consideration of Sanctions: Trustees Craig Mann and Anna Song*" moved after Item #6 "*Report of Actions Taken in Closed Session.*" President Song suggested that Study Action Item 10.E. be kept under study action items and therefore suggested it be placed before Study Action Item 10.A. "*Adopt the Budget Revisions for the Period Ending September 30, 2010.*" Member Mann suggested to have Closed Session #12.A. "*Public Employee Performance Evaluation*" placed after Closed Session #5.A. "*Conference with Legal Counsel – Anticipated Litigation.*"

President Song asked a clarifying question to Lori Pegg, Assistant County Counsel, regarding Government Code 54956.9(b) as it relates to Board Bylaw 8350 Closed Sessions, 1.3.

MOTION #2068-2 by member Mann that the Board approve the agenda with suggested amendments. Member Howard seconded the motion and it carried 7-0 with student board member Reyes voting yes.

2. SCCOE Student Recognition: Chi Diem Hang, Willow Glen Middle School, Special Education

President Song introduced Chi Diem Hang and then introduced Ron Maloney, Chi's teacher at Willow Glen Middle School, who spoke of Chi's achievements and energy. Mr. Maloney introduced Leslie Anido, Chi's 5th grade teacher, who also spoke about Chi's achievements and shared a video of Chi's accomplishments with the board. Chi thanked her parents and teachers for the recognition through a talker device. An iPod and a plaque in recognition of Chi's achievements were not readily available but would be given to her the next day.

3. SCCOE Employee of the Month Recognition: Claudia Regalado, GED Examiner, Educational Services Branch

Member Beauchman introduced Claudia Regalado, November's Employee of the Month. He noted Claudia's contributions, presented a plaque and an engraved pen in recognition of her work, and introduced Bill Conrad, Director of Assessment and Accountability, who spoke about Claudia's extraordinary commitment to GED participants. Claudia thanked her colleagues for the recognition.

4. Santa Clara County Office of Education 2009-2010 Annual Financial Audit Report

Ken Shelton, Chief Business Officer, introduced Ahmad Gharaibeh and Leonard Danna of Vavrinke, Trine, Day & Co., LLP. Mr. Danna reported on the Annual Financial Audit and answered questions from the Board.

CLOSED SESSION

5. The Board convened into Closed Session to consider the following items:
 - A. Conference with legal counsel – anticipated litigation, (G.C. 54956.9(b)), One potential case

(CHANGE IN AGENDA)
12. A. Public Employee Performance Evaluation – Title: County Superintendent Of Schools, (G.C. 54957(b)(1))

OPEN SESSION 6:50 p.m.

6. Report of Actions Taken in Closed Session

President Song reported that in the matter of Agenda Item 5.A. *Conference with Legal Counsel – Anticipated Litigation, (G.C. 54956.9(b)), One Potential Case*, and Agenda Item 12.A. *Public Employee Performance Evaluation – Title: County Superintendent of Schools, Title: County Superintendent of Schools, (G.C. 54957(b)(1))*, there were no reportable actions.

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

April Carlson, President of the Association of County Educators (ACE), asked that as the board convenes in December and elects a new board president, that the board reflect on what an effective leadership requires.

8. CORRESPONDENCE

There was no correspondence.

9. CONSENT ACTION ITEMS

- a. Request Approval of Minutes of Special Meeting of October 13, 2010 (#2066-S1)
- b. Request Approval of Minutes of Regular Meeting of October 20, 2010 (#2067)

MOTION #2068-3 by member Mann that Consent Action Items A and B be approved as presented. Vice President Mah seconded the motion and it carried 7-0 with student board member Reyes voting yes.

10. STUDY ACTION ITEM

- e. Discussion and Consideration of Sanctions: Trustees Craig Mann and Anna Song

Don Renwick, Vice President of ACE, thanked Dr. Weis and Vice President Mah for attending the grand opening of the special education site at Foothill High School. He spoke about being dismayed to see the topic of sanctions on the agenda again and inquired when will the board “devote itself to the education of our students exclusively.”

Board members reviewed Orry Korb's, Assistant County Counsel, sanction analysis on President Song and member Mann.

MOTION #2068-4 by member Ho that the Board waive the confidentiality of the attorney-client privilege email from Orry Korb, dated October 14, 2010. Member Di Salvo seconded the motion and it carried 7-0 with student board member Reyes voting yes.

Lori Pegg, read Mr. Korb's analysis (attached to minutes) and provided further analysis.

Member Di Salvo aired his disappointment in the Board's collective work regarding the sanctions against President Song and member Mann on the agenda and stated that the Board should be about moving the agenda forward for children and teachers.

Vice President Mah read the Board's Conflict of Interest policy and Ms. Pegg explained what the law says about Conflict of Interest.

Member Mann read a prepared statement to the Board (attached to minutes).

Member Beauchman suggested that the Board consider a board policy that would look more closely at board members disclosing contributions given to them by charter school petitioners.

Ms. Pegg answered questions from the Board.

MOTION #2068-5 by member Di Salvo that the Board dismiss the sanctions against President Song and member Mann from the agenda and move the agenda forward. Member Mann seconded the motion and it carried 4-3 with student board member Reyes voting yes.

The following roll call vote was taken:

Ayes:	President Song and members Di Salvo, Mann, and Howard
Noes:	Vice President Mah and members Ho and Beauchman
Abstain:	-none-
Absent:	-none-

Student board member Reyes voted yes.

a. Adopt the Budget Revisions for the Period Ending September 30, 2010

Doug Coffman, Director of Internal Business Services, presented the budget revisions for the period ending September 30, 2010.

MOTION #2068-6 by member Howard to adopt the budget revisions for the period ending September 30, 2010. Member Di Salvo seconded the motion and it carried 6-0 with member Mann absent (he stepped away temporarily) and student board member Reyes voting yes.

b. Accept the Monthly Financial Report for the Period Ending September 30, 2010

Mr. Coffman provided a summary of the monthly financial report for the period ending September 30, 2010 and answered questions.

MOTION #2068-7 by member Beauchman to accept the monthly financial report for the period ending September 30, 2010. Vice President Mah seconded the motion and it carried 7-0 with student board member Reyes voting yes.

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

Dr. Maurice Ghysels explained the purchase order exceeding \$250,000 for general contractor work for two Head Start classrooms at Pathfinder. Joe Cassibba, Director of General Services, answered questions from the Board.

MOTION #2068-8 by member Beauchman that the Board approve the purchase order exceeding \$250,000. Member Di Salvo seconded the motion and it carried 7-0 with student board member Reyes voting yes.

d. Second Reading and Adoption of Board Policies 2000 and 9000

This item was deferred to the November 17, 2010 board meeting.

11. INFORMATION ITEMS

a. Annual Report to the Board: Discovery Charter School

Dr. Lucretia Peebles, Director of the Charter Schools Department, introduced Dale Jones, Executive Director of Discovery Charter School, who presented highlights from the 2009-2010 school year of Discovery Charter School and answered questions.

b. The Environmental Education Department Tentative Lease Agreement Between the SCCOE and Walden West Outdoor School Foundation – Fund 850 Environmental Education

Dr. Weis provided an introduction to the tentative lease agreement between the SCCOE and Walden West Outdoor School Foundation.

Member Mann asked that when this item comes back to the board on November 17 for a vote that a cover letter from County Counsel be attached to the transmittal confirming that County Counsel has reviewed the draft of the Walden West ground lease.

Anita Parsons, Director of Environmental Education and Dr. Ghysels answered questions.

(Member Howard left the meeting at approximately 8:16 p.m.)

d. Board Committee Reports

(Student board member Reyes left the meeting at approximately 8:21 p.m.)

Leon Beauchman

- Took a tour of Via West Camp
- Visited the Superintendent of San Jose Unified regarding SJ2020
- Attended a Joint Legislative Action Committee (JLAC) meeting
- Announced he had spoken with Frank Pugh, President of the California School Boards Association (CSBA), and was assured by Mr. Pugh that the members of the Santa Clara County Board of Education could participate at the annual CSBA conference

T.N. Ho

- Attended a Joint Legislative Action Committee (JLAC) meeting

Joseph Di Salvo

- Attended a Joint Legislative Action Committee (JLAC) meeting
- Participated in a teleconference with Cary Dritz and Marycruz Diaz of WestEd. Member Di Salvo provided an updated on the Alternative Schools Program survey
- Visited Magnolia Charter School
- Attended a San Jose Rotary Club meeting

Grace Mah

- Announced that she has been appointed as the English Language Acquisition Consortium (ELAC) Chair of her son's school
- Spoke with the Assistant Superintendent of Palo Alto Unified School District regarding the seal of biliteracy program

Anna Song

- Recognized newly elected board member Michael Chang

f. County Superintendent's Report:

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

- Update on CSBA's financial audit report
- Letter from Kia Sullivan, Senior Director of Grants, Gifts and Compliance of Silicon Valley Community Foundation, dated October 15, 2010, informing Dr. Weis of a \$1,000 award to support efforts for Career Technical Education (CTE)
- Letter from Jan Len, Regional Program Manager of the Office of Head Start, Department of Health & Human Services, dated October 18, 2010, sent to President Song and copied to Dr. Weis, thanking them for participating in the "Office of Head Start Risk Management" meeting
- Email from Mara Wold, Regional Lead of Region 5 After School Programs from Monterey County Office of Education, dated October 20, 2010, thanking Dr. Weis for his presentation at the Santa Clara County After School Collaborative Breakfast of Champions event
- Email from Alyssa Lynch, Director of Career Technical Education at SCCOE, dated October 22, 2010, updating Dr. Weis on the upcoming CTE conference
- Article, "*Santa Clara County Office of Education—A Champion for Children, Schools and Community*", from the Educating the Bay Area magazine, 2010 Fall/Winter edition
- Attendance & Enrollment for Community Schools: September 22, 2010 through October 20, 2010

14. FUTURE AGENDA ITEMS

- Champions for Leadership Program (Grace Mah)
- Branch Department Updates – January 2011 (Grace Mah)
- Second Reading on Board Policies 2000, 9000 for the November 17 meeting (Grace Mah)
- Membership Dues for CSBA – November 17, 2010 (Joseph Di Salvo)
- Civil Grand Jury report on School District Consolidation – January 2011 (Joseph Di Salvo)
- Alternative Education Budget – January 2011 (Joseph Di Salvo)
- WestEd Report – January 2011 (Joseph Di Salvo)

15. ADJOURNMENT

The meeting adjourned at 8:42 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Charles Weis".

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

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