

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

APPROVED  
Regular Meeting #2085  
Board Room  
September 21, 2011

1. Call to Order

President Di Salvo called the meeting to order at 3:05 p.m.

a. Roll Call

Member(s) 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

Dr. Ina Bendis, board member of Santa Clara Unified School District, addressed the Board regarding a new Closed Session item on an attendance appeal that the Board was considering on hearing after taking a vote. She stated that the Board lacked authority to hear an attendance appeal.

b. Adoption of Agenda

Member Song requested to have “*Public Comments of Persons Desiring to Address the Board or to Present Petitions*” inserted before and after Closed Session Hearings and to pull Consent Action Item 9.E. “*Request Adoption of Resolution Declaring September 30, 2011 College Day San José*” for discussion.

MOTION #2085-1 by member Song to adopt agenda with requested amendments. Vice President Chang seconded the motion and it carried unanimously.

Public Comments

Chris Stampolis, Trustee of the West Valley-Mission Community College District Board and a member of the Community College League of California's State Board of California Community College Trustees (CCCT) reported on the recent CCCT meeting in Sacramento. Trustee Stampolis reported that the CCCT Board discussed the topics of Student Success and the growing cost of education at the University of California and California State University levels. Stampolis said UC tuition is expected to increase annually between 8 percent and 16 percent over coming years - leading soon to an at least \$20,000 annual UC tuition. Stampolis added that as Santa Clara County schools prepare more students to become ready for college, education leaders must address the coming influx of college-ready students who will not be able to afford enrollment at four-year colleges to which they could earn admission and who instead will be attending community college for their first two years. He concluded by requesting the County Board of Education to gather community college leaders and trustees together to discuss this concern because it will influence prioritization of course offerings at the Community College levels. Stampolis also reminded the Board of Education that Community Colleges are funded only to a capped number of student hours and even if a Community College enrolls more students, the State does not reimburse for the extra enrolled hours beyond the assigned cap.

2. Closed Session

The Board adjourned into Closed Session to consider the following items:

- a. Hearing  
Subject Matter: Inter District Transfer Appeal Filed on Behalf of Student  
(Resident District: Hollister School District  
Desired District: Saratoga Union School District)
- b. Hearing  
Subject Matter: Inter District Transfer Appeal Filed on Behalf of Student  
(Resident District: Franklin McKinley School District  
Desired District: San Jose Unified School District)
- c. Hearing  
Subject Matter: Inter District Transfer Appeal Filed on Behalf of Student  
(Resident District: Orchard School District  
Desired District: Milpitas Unified School District)

**CHANGE IN AGENDA**

*The Board broke for recess at 5:00 p.m. and reconvened into Closed Session at approximately 5:07 p.m.*

e. 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 public employee.)

4. President Di Salvo asked Paul Myrvold and Lisa Stone, Teacher of the Year recipients, to lead the pledge of allegiance.
3. Report of Actions Taken in Closed Session

President Di Salvo reported out on the following Closed Session items:

In the matter of Closed Session Item 2.A. Vice President Chang motioned (#2085-2) to uphold the interdistrict transfer appeal on behalf of a student (Resident District: Hollister School District, Desired District: Saratoga Union School District) based on Factor 5 “*A severe and demonstrated hardship to parent or guardians which could affect the pupil’s success in school*” and Factor 12 “*Other exceptional or extraordinary circumstances which would weigh heavily in favor of the appellate pupil.*” Member Mann seconded the motion and it carried 5-2 with members Mah and Song voting no.

In the matter of Closed Session Item 2.B. (Resident District: Franklin McKinley School District, Desired District: San Jose Unified School District), parent withdrew request.

In the matter of Closed Session Item 2.C. member Song motioned (#2085-3) to uphold the interdistrict transfer appeal on behalf of a student (Resident District: Orchard School District, Desired District: Milpitas Unified School District) based on Fact 2 “*A substantial danger to the pupil’s health or safety*” for the maximum school years allowed by law, member Hover-Smoot seconded the motion and it carried unanimously.

In the matter of Closed Session 2.E. “*Public Employee Performance Evaluation*”, there were no reportable actions.

5. Teachers of the Year Recognition: Paul Myrvold, ROP Blue Ridge School and Lisa Stone, Bullis Charter School

Board President Di Salvo and Dr. Charles Weis, County Superintendent of Schools, introduced the SCCOE Teachers of the Year for 2011 – Paul Myrvold, ROP Blue Ridge School and Lisa Stone, Bullis Charter School. They spoke of Paul and Lisa’s accomplishments, invited them to the podium, and presented them with a plaque, Barnes & Noble gift certificate and an orchid plant in recognition of their contributions.

Peter Evans, board member, Bullis Charter School, thanked the Board and Superintendent for recognizing the Teacher of the Year recipients.

President Di Salvo dedicated the meeting to Mr. and Mrs. Brian O’Halloran who spend countless hours volunteering at Washington Elementary School.

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

No one wished to address the Board of the County Superintendent of Schools.

8. Correspondence

- Email via the SCCOE website from Sonali Rammohan regarding support of Bullis Charter School's charter renewal
- Email dated September 16, 2011 from Ms. Dorothy Duffy Price regarding support of Bullis Charter School's charter renewal

9. Consent Action Items

- a. Request Approval of Minutes of Special Board Meeting of August 25, 2011 (#2083-S1)
- b. Request Approval of Minutes of Special Board Meeting of August 30, 2011 (#2083-S2)
- c. Request Approval of Minutes of Regular Board Meeting of September 7, 2011 (#2084)
- d. Request Approval of Unique Learning System – Special Education: ELA and Math Adoption
- e. Request Adoption of Resolution Declaring September 30, 2011 College Day San José

MOTION #2085-4 by member Mann that Consent Items 9.A. through 9.E. be approved. Member Hover-Smoot seconded the motion and it passed unanimously.

12. Information Items

b. Civil Grand Jury Reports Regarding the Luther Burbank School District

Suzanne Carrig, Senior Research Analyst, Office of the Superintendent, updated the Board on the conversation that took place at the September 13 meeting with district superintendents and district board members regarding the recommendations made by the Civil Grand Jury regarding the Luther Burbank School District consolidation.

The following individuals spoke against the consolidation of the Luther Burbank School District:

- Jan Kaay, Luther Burbank resident
- Frances Heller, board member
- Frances Rivera, parent
- Jose Navarro, former Luther Burbank student
- Marvelyn Maldonado, Principal
- Guadalupe Reyes, board member
- Bertha Cruz, parent
- Alejandra Martinez, parent
- Maria Morales, parent
- David Thomson, board member

The following individuals supported the consolidation of the Luther Burbank School District:

- Pamela Ortiz, former board member
- Antonio Perez, former board member

*The Board broke for recess at 6:46 p.m. and reconvened into Closed Session at approximately 6:57 p.m.*

2. Closed Session

The Board adjourned into Closed Session to consider the following item:

- d. Conference with Legal Counsel — Anticipated Litigation  
(Cal. Govt. Code § 54956.9(b)(1))  
One Potential Case

Report of Actions Taken in Closed Session

President Di Salvo reported that in the Matter of Closed Session item #2.D. “*Conference with Legal Counsel – Anticipated Litigation*”, there were no reportable actions.

*(Member Hover-Smoot left the meeting at approximately 7:22 p.m.)*

12. Information Items

a. East Side Union High School District’s Extraordinary Audit

Dr. Weis provided an update on the East Side Union High School District’s (ESUHSD) extraordinary audit and announced that SCCOE is officially closing out the East Side Union High School District’s extraordinary audit pursuant to Education Code 1241.5 b, and answered questions.

The following individuals from ESUHSD thanked Dr. Weis and his Business Branch staff for their assistance in the FCMAT audit and provided some background on their response to the findings. They said they are committed to earning the trust of the public, to following the law and to being transparent.

- Frank Biehl, board member (Vice President)
- Dan Moser, Superintendent

10. Discussion and Action Item

a. Study Session on Developing Guidelines for Approval of Countywide Charter Schools

Board members, Dr. Weis, Kenneth Shelton —Chief Business Officer and Dr. Lucretia Peebles—Director of Charter Schools department, addressed guidelines for “*Has the charter school demonstrated that it cannot serve this pupil population as well by opening a charter school that operates only in one school district? Education Code § 47605.6(a)(1). Has the charter school provided reasonable justification for why it could not be established by petition to a school district? Education Code § 47605.6(b)*” and “*Does the charter petition contain a reasonably comprehensive description of the location of each charter school facility that the petitioner proposes to operate? Education Code § 47605.6(b)(5)(D).*” Evan Kohn, Sr. Policy Manager and Rich Billings, CFO, from Rocketship Education, joined the discussion.

11. Action Item

a. Request Approval of “Request For Proposals (RFP)” to Engage a Search Firm to Assist the Board in Hiring a New County Superintendent of Schools

Board members engaged in discussion on the RFP to engage a search firm to assist the Board in hiring a new county superintendent of schools. Mr. Shelton answered questions.

MOTION #2085-5 by member Mann to add a clause under “#3 Proposal Requirements Services” that mentions obtaining key stakeholders’ input in determining desired traits of the next county superintendent. Member Song seconded the motion and it carried 6-0-1 with member Hover-Smoot absent.

9. Consent Action Item

f. Request Adoption of Resolution in Support of SJ/SV2020

MOTION #2085-6 by member Song to add “Santa Clara County” wherever SJ/SV2020 is mentioned in the resolution and to update the number of students to reflect all students in Santa Clara County and to update the amount on the economic losses reflecting all of Santa Clara County. Member Mah seconded the motion and it carried 6-0-1 with member Hover-Smoot absent.

12. Information Items

c. Provide a Report on SCCOE’s use of ARRA Funds for Positions

This item was tabled.

d. Equal Opportunity Schools

Edith Mourtos, Chief Academic Officer, apprised the Board on the partnership between SCCOE and Equal Opportunity Schools and answered questions.

e. 2011-12 Charter School Board Presentation Schedule

Dr. Weis introduced the 2011-12 Charter School Board presentation schedule and Dr. Peebles reviewed the schedule and answered questions from the Board.

f. Williams Complaint Report

Dr. Weis reported that there were no Williams complaints received during the April 1 through June 30, 2011 reporting period.

6. County Superintendent Report

- Letter dated September 9, 2011 from Peggy O'Guin, Administrator, Financial Accountability and Information Services, California Department of Education, Subject: 2011-12 County Office of Education Budget
- Attendance and Enrollment for Community Schools, August 31, 2011
- Superintendent Search Update
- Alternative Education Update
- SJ/SV2020 Update
- Charter Collaborative Update
- Equal Opportunity Schools Update

12. Information Items

g. Board Committee Reports

Michael Chang

- Reminded the Board that a first reading of board policy sets one and two will be heard at the October 5 meeting and the second reading at the October 19 meeting

Joseph Di Salvo

- Attended a Joint Legislative Advisory Committee meeting on September 7, 2011

Anna Song

- Announced an upcoming Santa Clara County School Boards Association meeting for next Wednesday, September 28, 2011

Leon Beauchman

- Attended a California County Boards of Education (CCBE) meeting in Monterey on September 9-11, 2011

Grace Mah

- Attended a California County Boards of Education (CCBE) meeting in Monterey on September 9-11, 2011

h. County Board of Education Member Reports

Craig Mann

- Spoke on Luther Burbank's API scores
- Announced the opening of Downtown College Prep's Alum Rock site
- Spoke on the cheerleader skirt matter at Piedmont Hills High School

Grace Mah

- Reported on an email she sent to Superintendent Benjamin Picard requesting a 45-minute discussion at one of their board meetings regarding SJ/SV2020 and charter schools

Leon Beauchman

- Attended a Silicon Valley Education Foundation dinner event

Joseph Di Salvo

- Attended a Juvenile Justice Systems Collaborative (JJSC) meeting
- Visited Terra Bella school

12. FUTURE AGENDA ITEMS

- Champions for Leadership Program, October 5 (Grace Mah)
- Board meeting at an SCCOE school site – November 16 at Anne Darling School (Grace Mah)
- Report on the effects of Early Learning as students enter kindergarten (Anna Song)
- Discussion on having a meeting between the County Board of Education and the County Board of Supervisors
- Recognize substitute teachers for each program, Spring 2012 (Joseph Di Salvo)
- Update on Foster Youth Services Funding, November 16 (Anna Song)
- Allocation of American Recovery and Reinvestment Act (ARRA) funds (Joseph)

13. ADJOURNMENT

The meeting adjourned at 9:30 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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