

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 #2056
Board Room
April 7, 2010
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. 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.

3. CORRESPONDENCE

*Correspondence addressed to the Santa Clara County Board of Education.
Correspondence addressed to individual board members will be mailed to them directly.*

 - Letter dated March 18, 2010 from Ken Moore, Board President of Bullis Charter School, sent to the Board of Education, regarding student demand and facilities update

4. CONSENT ACTION ITEMS
 - * A. [Request Approval of Minutes of Regular Meeting of March 17, 2010](#) (#2055)

- * B. [Request Acceptance of Grant Award Notification](#)
The Santa Clara County Office of Education has received Grant Award Notifications from the California Department of Education for: County Technical Assistance and Leadership Funds Grant for the Safe and Drug-Free Schools and Communities Program. Administration recommends acceptance of the grant award notification.
- * C. [Request Approval of County Superintendent's Monthly Expenses](#)
The County Superintendent is submitting his January and February 2010 expenses to the Board for review and approval on job-related expenditures. Administration recommends approval of the Superintendent's January and February 2010 expenses.
- * D. [Request Approval to submit Non-Competitive Grant for Region 5 Under the Regional School and District Support System \(RSDSS\)](#)
As the local agency for Region 5, the Santa Clara County Office of Education is authorized to receive \$657,286 under the Regional School and District Support System (RSDSS) initiative. Region 5 provides services to school and districts in Monterey, San Benito, Santa Cruz and Santa Clara counties. Administration recommends approval of the submission of a non-competitive grant under the regional school and district support system (RSDSS) for Region 5.
- * E. [Request Approval to Submit Non-Competitive Grant for Afterschool Assistance Providers Connect \(ASAPconnect\) Project](#)
The goal of this proposed project is to build the capacity of after school technical assistance (TA) providers to be equipped with knowledge and strategies to support state funded after school grantees and to provide high quality programs. The SCCOE would receive \$855,000 from the David and Lucile Packard Foundation for the 2010-2012 program years. Administration recommends approval of the submission of a non-competitive grant for Afterschool Assistance Providers Connect (ASAPconnect) Project.

5. STUDY ACTION ITEMS

- * A. [Magnolia Science Academy-Santa Clara Charter Petition](#): (1) Review of Status of Charter School's Remediation of Charter Petition Violations and Discussion/Action re: Initiation of Proceedings Pursuant to Education Code Section 47607(e) to Issue Notice of Intent to Revoke and to Revoke Charter Petition, and (2) Consideration of/Action on Charter School's Request for Material Revision to Charter Petition.
On March 4, 2009, the Santa Clara County Board of Education approved the charter petition for Magnolia Science Academy-Santa Clara, a countywide charter. The charter was approved for a three-year period (July 1, 2009 to June 30, 2012) with a requirement that Magnolia enter into a contract with the Superintendent for operation of its charter program, consistent with the terms of Administrative Regulation 6234 Charter School Memorandum of Agreement. Magnolia Science Academy-Santa Clara (MSA) did not open as planned in fall 2009. Pursuant to Education Code 47607 (d), on February 9, 2010 and March 19, 2010, the Santa Clara County Office of Education

sent a Notice of Violations and Amended Notice of Violations electronically and by mail, to Magnolia Educational Research Foundation and MSA demanding that, with the exception of the March 5, 2010 cure date cited for Violation #3, the noted violations be cured or remedied by March 31, 2010. MSA is requesting Board approval of a revision to its charter that would allow MSA to delay the opening of each of its schools by one year. Administration recommends: 1) Review the status of MSA's remediation of charter petition violations and consider and/or take action to initiate proceedings pursuant to Education Code Section 47607 to revoke the charter petition, and 2) Consider action on MSA's request for a material revision to the charter petition.

* B. [Decision on the Charter School Petition for Flex Academy Silicon Valley](#)

On December 14, 2009, the Charter Schools Department, County Office of Education received a petition from Flex Academy Silicon Valley (formerly called K12 Academy Silicon Valley Charter School) to operate a countywide charter school. On February 3, 2010, the County Board of Education held a public hearing, at which two speakers spoke in support of the charter school and its approval. The California Education Code 47605.6 (b) requires the County Board of Education "grant or deny the charter within 90 days of receipt of the petition." It also permits the extension by an additional 30 days if both parties agree to the extension. On March 17, 2010, the County Board of Education held a public hearing at which 3 speakers spoke in support of the charter and its approval. Administration recommends approval of charter petition.

* C. [Request to Start the Process of Revocation of the Charter for South Bay Preparatory Charter School](#)

The County Board of Education approved the charter petition for South Bay Preparatory Charter School (South Bay Prep) on March 19, 2008. The charter was approved for a period of three years of school operation beginning on June 1, 2008 and continuing through June 30, 2011. On October 22, 2009, the SCCOE sent a letter to the South Bay Prep president noting several areas of noncompliance with the charter and respective legal requirements. The school was asked to respond by October 26, 2009. South Bay Prep's November 2nd response to the letter did not fully address the noted concerns. Therefore, pursuant to Education Code 47607 (d), a Notice to Cure was issued to South Bay Prep on November 10, 2009, with a 30-day deadline of December 10, 2009 to cure the noted violations. On February 18, 2010, during its meeting, the South Bay Prep Board passed a motion to close the school (7-0) on June 30, 2010. Their decision was based on low enrollment and finances. The South Bay Prep Board reversed its closure resolution on March 12, 2010 and proposed to close the school on June 30, 2010 if specific criteria identified which they identified had not been met. Observations by the Santa Clara County Office of Education staff, beginning with the first week of school (September 25), have consistently found an unsound education program and limited implementation of the EdVisions project-based learning model. Administration recommends that the Board initiate the process of revocation of the South Bay Prep charter based on its failure to implement the project-based curricular model for which it was approved and thus providing an unsound educational program for its students.

- * D. [Adopt the Budget Revisions for the Period Ending February 28, 2010](#)
Administration recommends adoption of budget revisions.

- * E. [Accept the Monthly Financial Report for the Period Ending February 28, 2010](#)
Administration recommends acceptance of the monthly financial report.

- * F. [Request Approval of 2010-2011 Indirect Rates](#)
In preparation for the FY 2010-11 budget process and in compliance with BP3120 (Administrative Fees), the Superintendent establishes and the Board approves indirect rates for all programs other than Fund 800 programs. The indirect rates for FY 2009-10, along with those proposed for FY 2010-11 will be reviewed. Administration recommends approval of the proposed indirect rates for 2010-11.

- * G. [Request Approval of Purchase Order Exceeding \\$100,000](#)
***Study Action Items G through L** relate to the same new construction at SCCOE's Special Education program at Gateway School in Gilroy. The construction will be for Building A, which was destroyed by a fire. This purchase order will cover roofing. The lowest responsible selected bidder is All Seasons Roofing. Administration recommends approval of purchase order exceeding \$100,000 for All Seasons Roofing to conduct the specified work.*

- * H. [Request Approval of Purchase Order Exceeding \\$100,000](#)
This purchase order will cover grading, paving & underground utilities at SCCOE's Special Education program at Gateway School in Gilroy. The lowest responsible selected bidder is Rodan Builders. Administration recommends approval of purchase order exceeding \$100,000 for Rodan Builders to conduct the specified work.

- * I. [Request Approval of Purchase Order Exceeding \\$100,000](#)
This purchase order will cover concrete at SCCOE's Special Education program at Gateway School in Gilroy. The lowest responsible selected bidder is Robert A. Bothman. Administration recommends approval of purchase order exceeding \$100,000 for Robert A. Bothman to conduct the specified work.

- * J. [Request Approval of Purchase Order Exceeding \\$100,000](#)
This purchase order will cover electrical at SCCOE's Special Education program at Gateway School in Gilroy. The lowest responsible selected bidder is Cupertino Electric. Administration recommends approval of purchase order exceeding \$100,000 for Cupertino Electric to conduct the specified work.

- * K. [Request Approval of Purchase Order Exceeding \\$250,000](#)
This purchase order will cover mechanical & plumbing at SCCOE's Special Education program at Gateway School in Gilroy. The lowest responsible selected bidder is Foothill Mechanical. Administration recommends approval of purchase order exceeding \$250,000 for Foothill Mechanical to conduct the specified work.

- * L. [Request Approval of Purchase Order Exceeding \\$250,000](#)
This purchase order will cover general trades at SCCOE's Special Education program at Gateway School in Gilroy. The lowest responsible selected bidder is Rodan Builders. Administration recommends approval of purchase order exceeding \$250,000 for Rodan Builders to conduct the specified work.

- * M. [Request Approval of 2010-2011 Comprehensive School Safety Plans](#)
Per Education Code 35204.1 (b)(1) and (2), the School Site Council shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school or the School Site Council may delegate this responsibility to the school site safety planning committee. Administration recommends approval of the 2010-11 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.

- * N. [Request Board Approval of the Title 1, Part A, Waiver Application and the Corresponding Waiver Plan](#)
The California Department of Education (CDE) and the State Board of Education (SBE) jointly submitted eight waiver requests to the United States Department of Education (ED), on behalf of districts receiving Title 1 Part A American Recovery and Reinvestment Act (ARRA) funds for 2009/10. The waivers requests provide districts flexibility in the use and time requirements. The flexibility provided by the waiver will allow the SCCOE some financial flexibility to implement the Local Education Plan (LEA). Administration recommends approval of Title 1, Part A, Waiver Application and the corresponding Waiver Plan.

- * O. [Request Approval on Resolution in Support of Local Parcel Tax Measures](#)
Vice President Mah has requested that a resolution in support of local parcel tax measures be placed on the agenda for the Board's consideration. Local parcel taxes provide a stable, predictable source of local school funding and allow local voters to make investments in their community schools in addition to state funding and can be spent according to local priorities that are not subject to state control. Administration recommends approval.

- * P. [Request Approval on Resolution in Support of Local Bond Measures](#)
Vice President Mah has requested that a resolution in support of local bond measures be placed on the agenda for the Board's consideration. Local bond measures provide a stable, predictable source of local school funding and allow local voters to make investments in their community schools in addition to state funding and can be spent according to local priorities that are not subject to state control. Administration recommends approval.

6. INFORMATION

- * A. [Update – Alternative Schools](#)
Staff will provide updates on activities that have occurred to address issues in Alternative Schools.

- * B. [Report on SCCOE’s American Recovery and Reinvestment Act \(ARRA\) Expenditure Funding](#)
At the Budget Study Committee meeting on March 17, 2010, member Di Salvo requested a report on SCCOE’s ARRA expenditures. Expenditures as of mid-March 2010 will be reported.

- * C. [Discussion on Resolution in Support of the Local Control of Local Classrooms Funding Act](#)
Vice President Mah has requested discussion on the Resolution in Support of the Local Control of Local Classrooms Funding Act. The Local Control of Local Classrooms Funding Act is a proposal to amend the California Constitution so that special taxes for school districts, commonly known as parcel taxes, can be approved by a 55 percent vote.

- 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 Mah*)
 - 3. Joint Legislative Advisory Committee (*Leon Beauchman*)
 - 4. Santa Clara County Regional Occupational Program (SCCROP) Operations Committee (*Member Howard*)
 - 5. Head Start Policy Council (*Member Ho*)
 - 6. Santa Clara County School Boards Association Executive Board (*President Song*)
 - 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.

7. FUTURE AGENDA ITEMS

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

- Discussion on how to increase the number of math teachers in Silicon Valley — July (Joseph Di Salvo)

8. ADJOURNMENT

The next Board of Education meeting is scheduled for April 21, 2010. For Board agendas and meeting minutes please see our Web site at www.sccoe.org.