

**RESOLUTION DENYING THE CHARTER PETITION
OF VOICES COLLEGE-BOUND LANGUAGE ACADEMY
AT MORGAN HILL SCHOOL**

**SANTA CLARA COUNTY BOARD OF EDUCATION
RESOLUTION NO. _____**

RESOLVED by the Santa Clara County Board of Education, County of Santa Clara, State of California, that:

WHEREAS, pursuant to the procedures set forth in Education Code Section 47605 and its implementing regulations, petitioners for the Voices College-Bound Language Academy at Morgan Hill School presented their Petition to establish a charter school to the County Office of Education on September 26, 2014, having been denied by the District's Board of Education on September 23, 2014; and the County Board of Education held a public hearing on this matter on October 15, 2014; and

WHEREAS, the County Board of Education reviewed the Petition taking into consideration the testimony and documents submitted, including the Voices College-Bound Language Academy at Morgan Hill School Petition to the County Board of Education; the testimony presented at the public hearing; additional materials received from petitioners, the Morgan Hill Unified School District and the public; and the review of County Office of Education staff; and

WHEREAS, the County Board of Education finds that the proposed charter school does not meet the criteria established by Education Code 47605(b), specifically:

- (1) The Petition does not contain reasonably comprehensive descriptions of the required elements.

NOW, THEREFORE, the County Board of Education makes the following findings:

The Petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

NOW, THEREFORE, for the forgoing reasons, the County Board of Education DENIES the Petition.

Passed and adopted by the Santa Clara County Board of Education at a meeting held on this 19th day of November, 2014 by the following vote:

AYE:

NO:

ABSTENTION:

ABSENT:

Leon F. Beauchman, President
Santa Clara County Board of Education

Jon R. Gundry
County SuperIntendent of Schools
Santa Clara County Office of Education

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EXHIBIT C

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

APPROVED
Board Agenda
November 19, 2014
Regular Meeting #2149
Board Room
5:00 p.m.

1. Call to Order

a. Roll Call

Member(s) Present:

Grace Mah, Area 1

Michael Chang, Area 2 (*arrived at approximately 5:25 p.m.*)

Leon Beauchman, Area 3

Joseph Di Salvo, Area 4

Anna Song, Area 5

Darcie Green, Area 6

Julia Hover-Smoot, Area 7

b. Adoption of Agenda

MOTION #2149-1 by Vice President Green to adopt the agenda as presented. Member Song seconded the motion and it passed 6-0-1 with member Chang absent.

c. Pledge of Allegiance

President Beauchman asked member Hover-Smoot to lead the pledge of allegiance.

2. Student Recognition: Jasmyne, Jenay and Justin Longoria, Special Education, Student Services Branch

Member Di Salvo introduced Jasmyne, Jenay and Justin Longoria, recipients of the SCCOE student recognition for Special Education, and presented them with an iPod and a plaque in recognition of their achievements. Member Di Salvo introduced Heather Bass, teacher and Corinne Ricci, Speech-Language Pathologist from Gateway School, who shared a video of Jasmyne, Jenay and Justin's education at the Santa Clara County Office of Education. Ms. Bass and Ms. Ricci spoke of the triplets' accomplishments and stated that they will be missed by staff at Gateway.

President Beauchman presented framed photos of member Hover-Smoot's past participation in Santa Clara County Office of Education events in recognition of her years of service on the Santa Clara County Board of Education. He thanked her for her years of service to her community and to the students of Santa Clara County.

(Member Chang arrived at approximately 5:25 p.m.)

3. Public Comments of Persons Desiring to Address the Board

No one wished to address the Board.

4. The Board will hold a Closed Session to consider the following item:

- A. Subject Matter: Inter-District Transfer Appeal Filed on Behalf of Student
Resident District: San Jose Unified School District
Desired District: Campbell Union High School District

5. Report of Actions taken in Closed Session

President Beauchman reported that in the matter of Closed Session Item 4.A. Motion (#2149-2) was made by member Chang to uphold the Inter-District transfer appeal on behalf of student based on the following factors:

- Factor 1 – The pupil’s psychological or physical well-being
- Factor 2 – A substantial danger to the pupil’s health or safety
- Factor 6 – The pupil’s desire to remain in his/her school of current attendance for the balance of the semester or school year
- Factor 12 – Other exceptional or extraordinary circumstances which would weigh heavily in favor of the appellate pupil

Member Hover-Smoot seconded the motion and it carried 7-0.

6. Public Comments of Persons Desiring to Address the Board

No one wished to address the Board.

7. Correspondence

- Email, November 9, 2014, Cecilia Ferrandez, Subject: Please deny new charter schools in Morgan Hill
- Letter, November 11, 2014, Gemma Abels, RE: Nov 19 vote on Navigator Schools and VOICES College-Ground Preparatory Appeals
- Email, November 13, 2014, Raymond Blanchard, Subject: Please Support Morgan Hill Prep Petition
- Email, November 13, 2014, Raymond Blanchard, Subject: A Navigator idea
- Email, November 13, 2014, Kayce Dalton, Subject: In support of MHUSD
- Email, November 13, 2014, Rosa Molina, Subject: Voices Charter Proposal for Morgan Hill USD
- Email, November 13, 2014, Anna Olagues, Subject: Charter school petition
- Email, November 13, 2014, Carolyn Bowers, Subject: Charter petition decision

- Email, November 13, 2014, Sharon Leahy, Subject: Charter petitions in Morgan Hill
- Email, November 13, 2014, Joan Best, Subject: November 19 board meeting – charter petitions
- Email, November 13, 2014, Vincent Gutierrez, Subject: Concerning Morgan Hill Unified Charter Schools

8. Superintendent's Report

- Attended the award ceremony of the first annual San Jose—Silicon Valley Chinese Star Contest
- Attended two Educare events
- Met with media outlets
- Met with staff from Silicon Valley Community newspaper
- Visited MetroEd
- Met with Superintendent Jacki Horejs of Union Elementary School
- Acknowledged Trustee Julia Hover-Smoot for her years of service on the Santa Clara County Board of Education

9. Consent Action Items

- A. Request Approval of Minutes of Regular Board Meeting of November 5, 2014 (#2148)
- B. Request Acceptance of Donations
- C. Request Approval to Submit Non-Competitive Grant for Advancing Summer Matters Initiative through Technical Assistance Capacity Building
- D. Request Approval to Submit Non-Competitive Grant for ASAPconnect to Receive Executive Coaching

MOTION #2149-3 by member Di Salvo to approve Consent Action Items 9A through 9D. Member Song seconded the motion and it carried 7-0.

10. Action Items

- A. Decision on the Charter Petition for Voices College-Bound Language Academy at Morgan Hill

President Beauchman explained the hearing process and Toni Cordova, Chief Strategy Officer, presented a report from staff.

Board members asked clarifying questions regarding the staff report.

Frances Teso, lead petitioner, responded to staff report.

Superintendent Steve Betando of Morgan Hill Unified School District and his colleagues Kristen Perez, Assistant Superintendent of Business Services; Fawn Myers, Assistant Superintendent of Human Resources and Dr. Norma Martinez-Palmer, Assistant Superintendent of Educational Services, commented on the petition request.

The following individuals spoke in support of the charter petition:

- Peggy Bryan
- Beth Gonzales
- Mary Cruz Ruiz
- Elizabeth Spicer
- Delia Gomez
- Elidia Alvarado
- Lupe Cazares
- Patricia Amaya
- Greg Lipman
- Britney Daley
- Matt Hammer
- Martha Martinez
- Yolanda Barba
- Quiana White

The following individuals spoke in opposition of the charter petition:

- Shelle Thomas
- Quetzalle Negrete
- Cecilia Robins
- Claudia Olaciregui
- Terri Craig
- Virginia Barrera
- Jose Anaya
- Mario Banuelos
- Lori Shoemaker
- Bob Sigala
- Kelly Parker
- Jeanie Wallace
- Gemma Abels
- Dr. Roxana Marachi
- Dom Payne

Board members asked clarifying questions and deliberated.

MOTION #2149-4 by member Di Salvo to approve the charter petition for Voices College-Bound Language Academy at Morgan Hill School for three years commencing July 1, 2015 and continuing through June 30, 2018 and by April 1, 2015 have a student enrollment of 112 and by July 1, 2015 have a designated school site. Member Hover-Smoot seconded the motion and it carried 6-0-1 with member Song voting no.

The Board broke for recess at 10:20 p.m. and reconvened into open session at 10:46 p.m.

B. Decision on the Charter Petition for Morgan Hill Prep Charter School

President Beauchman explained the hearing process and Ms. Cordova presented a report from staff.

Board members asked clarifying questions regarding the staff report.

James Dent, lead petitioner, responded to staff report.

Superintendent Steve Betando of Morgan Hill Unified School District and his colleagues Kristen Perez, Fawn Myers, and Dr. Norma Martinez-Palmer commented on the petition request.

The following individuals spoke in opposition of the charter petition:

- April Roland
- Dr. Roxana Marachi
- Mary Callahan

The following individuals spoke in support of the charter petition:

- Rosa Rojas
- Delia Gomez
- Patricia Amaya
- Tania Marrujo
- Teresa Steengrafe
- Marie Moore
- Jenne Wood-Taylor
- Lupe Cazares
- Ray Blanchard
- JoAnne Brooks
- Kristen Barcus read a statement on behalf of Gloria Mojica
- Phillip Harr

Board members asked clarifying questions and deliberated.

MOTION #2149-5 by member Song to deny the charter petition for Morgan Hill Prep Charter School. Vice President Green seconded the motion and it carried 4-3 with President Beauchman and members Mah and Hover-Smoot voting no.

(Member Hover-Smoot left the meeting at approximately 12:37 a.m.)

C. Request Approval of Resolution in Opposition to the Use of Pepper Spray in Santa Clara County Court Schools

The following individuals spoke in support of the resolution:

- Dana Bunnett, Kids in Common
- Earl Thaxton, Association of County Educators (ACE)
- Dr. Roxana Marachi, San Jose State University

MOTION #2149-6 by member Song to adopt the resolution in opposition to the use of pepper spray in Santa Clara County Court Schools. Vice President Green seconded the motion and it carried 6-0-1 with member Hover-Smoot absent.

11. Board Committee Reports

There were no Board committee reports.

12. County Board of Education Members Report

There were no County Board of Education members report.

13. FUTURE AGENDA ITEMS

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

- STRIVE and Collective Impact, fall 2014 (member Di Salvo)
- Board Retreat, Nov 22 (President Beauchman)
- Charter Schools Workshop, spring 2015 (President Beauchman)
- Mindfulness for Students (member Chang)
- Early Childhood, winter 2015 (member Mah)
- Charter Annual Reports (member Mah)
- Civics Education (member Di Salvo)

14. Adjournment

The meeting adjourned at 12:47 a.m.

Respectfully submitted,



Jon R. Gundry, County Superintendent of Schools
Ex-Officio Secretary

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