

**County Board of Education
Ronald L. Stewart Center
77 Santa Barbara Road, Pleasant Hill, California
January 14, 2015**

- ROLL CALL:** Pamela Mirabella, Area 1 Trustee (arrived at 5:08 p.m.); Christine Deane, Area 2 Trustee; Daniel Gomes, Area 3 Trustee; Mike Maxwell, Area 4 Trustee; and Jeff Belle, Area 5 Trustee.
- Absent:** None
- Others:** Karen Sakata, Pamela Comfort, Terry Koehne, Bill Clark, Mac Carey, Loreen Joseph and County Office staff.
- Presiding:** The regular meeting of the Contra Costa County Board of Education was called to order by President Gomes at 5:01 p.m. with the recitation of the Pledge of Allegiance.
- AGENDA REVIEW AND ADOPTION** Maxwell moved, Deane seconded, and the Board voted 4-0-1 to approve the agenda as presented.
- Ayes: Gomes, Deane, Belle, Maxwell
Noes: None
Absent: Mirabella
Abstain: None
- PUBLIC COMMENT**
- Richard Asadoorian, former Contra Costa County board member, urged the Board and staff to visit approved charters sites as well as attend their board meetings in order to remain visible to them.
- Lawrence Rasheed invited the Board to attend the Martin Luther King National Mentoring Day which will take place in Antioch on January 31. He shared information about the Greatness Rediscovered in Our Time (GRIOT) program.
- RECOGNITIONS**
- Consider granting of a Contra Costa County High School Diploma to high school student MM 2-01/14/15** Belle moved, Maxwell seconded, and the Board voted 4-0-1 to approve granting of a high school diploma to high school student MM 2-01/14/15.
- Ayes: Gomes, Deane, Belle, Maxwell
Noes: None
Absent: Mirabella
Abstain: None
- The student did not attend.
- CLOSED SESSION - none**
- PUBLIC HEARING - none**
- ADMINISTRATIVE ITEMS**
- SUPERINTENDENT'S REPORT** Karen Sakata, County Superintendent of Schools, proposed scheduling a Board Retreat for February 18, 2015. This meeting would be held instead of the regular Board meeting currently scheduled for that date. By consensus the Board agreed to hold the retreat on that date.
- BUSINESS SERVICES**
- Review 2013-14 Single Audit Annual Financial Report for the County School Service Fund** Christy White, Christy White Associates, gave an overview of the Single Audit Annual Financial Report for the County School Service Fund. She reported the County Office of Education has been given an unmodified opinion, which is the best opinion that can be received. Presented as information only.

Following a five minutes recess, the Board reconvened at 5:32 p.m.

In accordance with California Education Code, a public hearing on the provisions of a charter petition was held on December 10, 2014. The Board will deliberate regarding the Petition to Establish the Contra Costa School of Performing Arts following comments from the Petitioners, the public, and the presentation of staff's report on the petition.

Comments from Petitioners

Neil McChesney, lead petitioner, thanked the Board and staff for their time, energy, and professionalism during the review process. He gave a PowerPoint presentation which included his team's response to the COE staff report released the previous Friday. He explained why his team disagrees with some of COE staff's findings, yet respects that there are some valid concerns which they take seriously. He stated that steps have been made to address those concerns and hopes they can work with COE toward a mutually agreeable plan. He asserted that the School of Performing Arts (SPA) will increase learning opportunities for all students in Contra Costa County. He said there is nothing in the charter that suggests they don't aim to serve a diverse population. He noted that the audition process has raised concerns and stated that it is not inherently discriminatory, as has been suggested. An objective panel will consider a wide range of factors and there will be heavy emphasis on passion and potential. They are committed to widespread outreach in Contra Costa County. He stressed that his team does not believe there is a comparable program in the county. Specifically, one which is a pre-professional, conservatory type training in performance arts embedded in a college and career preparatory setting that has a true arts integrated program. He further stated they believe the proposed site, which is the Concord Pavilion, offers an incredible and unique opportunity with which to partner. Also, it is accessible by public transportation. In regard to their budget, he stressed their financial projections are sound and the budget is fiscally solvent. Mr. McChesney emphasized that SPA, which is a newly established 501c3 public benefit corporation, will have no affiliation with Clayton Valley Charter High School (CVCHS). He feels his team has addressed all the concerns in the COE staff's findings and would agree to delay opening SPA until fall 2016 in order to meet any other conditions that would be included in a Memorandum of Understanding.

Board Questions

Mr. Belle asked how SPA would quantify and qualify having widespread outreach. Mr. McChesney explained that the petition includes an outreach plan. The outreach plan, which is post-approval, is quantifiable and has specific sites and actions at those sites. He explained that if the County Board of Education feels the plan is insufficient they will be happy to make accommodations.

Ms. Mirabella asked why the petitioners chose to apply for a countywide charter instead of going through MDUSD, which is in their jurisdiction. Mr. McChesney explained the intent is to serve a larger footprint. Ms. Mirabella said she is concerned that she does not see a high level of support from school districts for the petition.

Ms. Deane asked how many students are anticipated to attend the first year and which arts will be targeted and developed. Mr. McChesney explained they would like to begin with 450 students. There will be four conservatories; dance, theater, vocal and instrumental music, and arts management. The size and scope of each conservatory will depend on the student body. If capacity is exceeded, a random lottery is held. Ed. Code provides the levels of preference established. Low income and special needs students are given the same consideration as all students.

Public Comment

The following spoke in favor of approving the charter petition: Richard Asadoorian, Jason Miller, Joe Medrano, Staci Smith, Marcia Mason, Julia Wickware, Rachel Rosnov, Stacey Wickware, Zack Roe, Jim Wickware, Kyle Wickware, Nick Driver, Michelle Lopez, Rob Seitelman, Kristyn Pullen, Lisa Kingsbury, Justin Lucchasi, Maxine Espiritu, Austin Alfaro, Sara Kommer, Mason Case, and Janeal Lee.

The following spoke in opposition of approving the charter petition: Anita Johnson, Jack DeRieux, Orrin Cross, Dr. Linda Delgado, Kathy Kamenik, Jennifer Krnich, Denise Lambert, Shalene Martin, and Dorothy Weisenberger.

Staff Presentation on its report on the Petition

Pam Tyson, Director, Educational Services, presented staff's findings on the petition. She explained the petition was reviewed by the County Office of Education review committee. The committee is comprised of technical and content experts in Curriculum and Instruction, Special Education, English Learner support, Human Resources, teacher credentialing, facilities, maintenance, and fiscal operations. The committee met multiple times and used a rubric to evaluate the petitions compliance with state law in each area. The committee found the petition does not meet the legislative intent for charters. Dr. Tyson listed the areas in which the charter was found to be insufficient some of which are: the petition does not ensure a fair and equitable selection process for admittance to the charter; the petition does not establish that its educational services cannot be served as well by a school that operates in a school district; the proposed facilities, Concord Pavilion, is not necessarily the best to serve student's needs. The petition is also insufficient because it presents an unrealistic financial or operational plan. It relies on the receipt of \$250,000 from the charter revolving loan. This loan is not guaranteed and cannot be relied upon. Finally, the petition proposes a segregated benefits plan. Based on the analysis, staff recommends that the Contra Costa County Board of Education deny the petition.

Following a five minute recess, the Board reconvened at 7:58 p.m.

Consider Action to Either Deny the Petition to Establish the Contra Costa School of Performing Arts ("Petition") and to Adopt Resolution No. 8-14/15 reflecting denial of the Petition and specify any conditions necessary for approval

Mr. Belle stated he is not satisfied that this would be in the best interest of the public. Mr. Maxwell said he is in favor of performing arts schools, but not in the format that was presented. Ms. Mirabella said the way the charter is written, it is not ready to go. She agrees with staff's report. Ms. Deane stated there are several issues that need addressing, but believes they can all be addressed. She would agree to the charter acceptance if an MOU were added. Mr. Gomes said he feels there is not a need for a performing arts charter because the need is adequately filled by programs that exist in the various districts. He further stated there is more of a need for a computer science or environmental protection charter. Also, he can't see the Concord Pavilion as a viable place to house the charter. He believes the selection process would lead to an elitist school.

Mirabella moved, Belle seconded, and the Board voted 5-0-0 to adopt resolution 8-14/15 reflecting denial of the petition.

Ms. Deane asked to amend the motion by adding an MOU to the charter petition. Mr. Gomes explained that the motion is only to accept or deny the resolution.

Ayes: Gomes, Deane, Belle, Maxwell, Mirabelle
Noes: None
Absent: None
Abstain: None

Ms. Mirabella thanked those that attended the meeting. She said she appreciates the students and professionals that spoke, but cannot support the charter at this time with the way the petition is written.

Mr. Belle, thanked staff for their objective report.

Ms. Deane said that the Board judged the petition on the specific details of the charter petition. She stressed the need to stay focused on students and added that charters need to be tightly written.

Staff Report

Bill Clark, Associate Superintendent, Business Services, shared information on the Governor's new state budget. The emphasis is on K-14 education which is beneficial to the County Office of Education (COE). He explained that the COE has partnerships with districts, corporate and private communities. He said he is optimistic that the new funding will be well-suited for programs that are offered at COE and could be beneficial in terms of expanding and meeting some of the additional need that has been identified.

Mr. Clark will email possible meeting dates to the policy subcommittee members.

EDUCATIONAL SERVICES

Consider Approval of Single Plan for Student Achievement for each school that receives federal funding through the Consolidated Application

Mirabella moved, Belle seconded, and the Board voted 5-0-0 to approve the Single Plan for Student Achievement as presented.

Ayes: Gomes, Mirabella, Deane, Belle, Maxwell
Noes: None
Absent: None
Abstain: None

Staff Report

Dr. Pamela Comfort, Deputy Superintendent, said she hopes to have staff provide more presentations at upcoming Board meetings. These presentations help the Board keep abreast of programs and services that COE provides to districts.

HUMAN RESOURCES

Presentation of Labor Agreement Proposals: Initial Proposal from Contra Costa County School Education Association/CTA/NEA for Reopener Agreement and Initial Management Proposal for Reopener Agreement with Representatives of the Certificated Unit

Ms. Sakata shared a corrected copy of the Initial Management proposal with the Board and said the public hearing will be held on February 4, 2015. Presented as information only.

Staff Report

None

COMMUNICATIONS

Staff Report

None

TECHNOLOGY SYSTEMS

Staff Report

Mac Carey, Chief Technology Officer, reminded the Board of the BoardDocs (online agenda program) training scheduled for January 21. He asked that they let him know if they will be using their own devices or a laptop that the Technology Department will provide.

BOARD

Legislative Update

None

Resolution 09-14/15 Recognition of Dr. Joseph Ovick, Contra Costa County Superintendent of Schools (retired)

Mirabella moved, Maxwell seconded, and the Board voted 5-0-0 to adopt resolution 9-14/15 as presented. Mr. Gomes will present the resolution to Dr. Ovick at his retirement event which will be held on January 20.

Ayes: Gomes, Mirabella, Deane, Belle, Maxwell
Noes: None
Absent: None
Abstain: None

PUBLIC COMMENT

None

CONSENT AGENDA

Mirabella moved, Maxwell seconded, and the Board voted 5-0-0 to approve the Consent Agenda as presented.

Consider approval of minutes of December 10, 2014

Ayes: Gomes, Mirabella, Deane, Belle, Maxwell

Noes: None

Consider granting of a Contra Costa County High School Diploma to high school student MM 1-01/14/15

Absent: None

Abstain: None

Consider granting of a Contra Costa County High School Diploma to adult school student CCAS 1-01/14/15

Consider granting of a Contra Costa County High School Diploma to adult school student CCAS 2-01/14/15

Consider Temporary County Certificates (TCCs)

CORRESPONDENCE/EVENTS CALENDAR

Correspondence: Correspondence from the public regarding the Countywide Petition is available for review.

Calendar of Events:

Academic Decathlon Schedule

Subjective tests – speech and interview, January 24, 8:45 a.m. – 12:30 p.m., Cal State East Bay, Concord Campus

Objective tests and superquiz, February 7, 2:35 p.m., Los Medanos College

Academic Decathlon Awards, February 11, 6:00 – 7:30 p.m., Location - TBD

January 21, Board Workshop, CCCOE, 3:30 p.m.

Terry Koehne, Chief Communications Officer, will send dates and times of the Academic Decathlon and Mock Trial events to the Board.

BOARD REPORTS OF ACTIVITIES

Mr. Belle recently met with Superintendent Sakata. Mr. Maxwell has been invited to speak at the Monte Vista High School Leadership Program. Ms. Mirabella shared that the Contra Costa County School Board's Association is trying to schedule an event with newly elected superintendent's Karen Sakata, Contra Costa County Office of Education and Karen Monroe, Alameda County Office of Education. Ms. Mirabella attended the swearing in ceremony for newly elected WCCUSD board member Valerie Cuevas. She also met with Guy Moore, President of the Mt. Diablo Education Association. Ms. Deane attended the CSBA Delegate Assembly and CCBE Board of Directors meeting during the CSBA conference in December. She also attended the Special Olympics at Monte Vista High School.

Meeting adjourned at 8:54 p.m.

Karen Sakata., Ex Officio Secretary
County Board of Education

Copies of all resolutions adopted by the Board are on file in the Office of the Superintendent, Ex Officio Secretary of the Board of Education.

These unadopted minutes are summaries and excerpts from the regular meeting of January 14, 2015, and are subject to amendments and/or correction prior to the approval of the County Board of Education.

For further information, contact Loreen Joseph, (925) 942-3380, ljoseph@cccoe.k12.ca.us.