

**County Board of Education
Ronald L. Stewart Center
77 Santa Barbara Road, Pleasant Hill, California
January 15, 2014**

ROLL CALL: Pamela Mirabella, Area 1 Trustee; Ellen Elster, Area 2 Trustee; Richard Asadoorian, Area 4 Trustee; and Cynthia Ruehlig, (arrived at 5:04 p.m.) Area 5 Trustee

Absent: Daniel Gomes, Area 3 Trustee

Others: Joseph Ovick, Karen Sakata, Pamela Comfort, Bill Clark, Peggy Marshburn, Mac Carey, Loreen Joseph, Cynthia Schwerin, Lindy Khan, Jane Shamieh, Pam Tyson, Marsha Tokuyoshi, and County Office staff. A partial list of attendees is on file at the CCCOE.

Presiding: The regular meeting of the Contra Costa County Board of Education was called to order by President Elster at 5:02 p.m. with the recitation of the Pledge of Allegiance.

AGENDA REVIEW AND ADOPTION Mirabella moved, Asadoorian seconded and the Board voted 4 to 1 to approve the agenda as amended. (Item 7.7.2 pulled by Ms. Elster)

Ayes: Mirabella, Asadoorian, Ruehlig, Elster
Noes: None
Absent: Gomes
Abstain: None

Ms. Elster explained that she pulled item 7.7.2 because Mr. Gomes, who wrote the item, was not present to discuss it. Ms. Ruehlig asked if sections of Making Waves resolution 09-13/14 could be voted on individually. Mr. Clark explained that the proposal needed to be voted on as one item unless the resolution is amended. Ms. Mirabella asked what the next step would be to check legal and financial analysis of item 7.7.2. Dr. Ovick said the item is being reviewed at this time.

PUBLIC COMMENT

Items on the Agenda None
Items of Interest to the Public None

RECOGNITIONS

Consider granting of a Contra Costa County High School Diploma to high school student MM 3-01/15/14 Mirabella moved, Ruehlig seconded, and the Board voted 4 to 1 to approve granting a diploma to high school student MM 3-01/15/14.

Ayes: Mirabella, Asadoorian, Ruehlig, Elster
Noes: None
Absent: Gomes
Abstain: None

Principal Rebecca Corrigan shared some of the student's plans now that she has graduated. The student's teacher, Mr. Stroud shared that she was a wonderful example of taking initiative.

CLOSED SESSION

Conference with Legal Counsel - Existing Litigation (Gov. Code 54956.9(d)(1).): Pittsburg Unified School District v. Contra Costa County Board of Education, Contra Costa County Superior Court Case No. N13-1812 The Board adjourned to Closed Session at 5:17 p.m. to meet with legal counsel regarding existing litigation. The Board reconvened to Open Session at 5:44 p.m.

PUBLIC HEARINGS None

ADMINISTRATIVE ITEMS

SUPERINTENDENT'S REPORT

Joseph Ovick, Ed.D. wished everyone a Happy New Year. He shared information on SB 751 which took effect on January 1. SB 751 requires that board meeting minutes reflect the individual vote of each board member. Dr. Ovick also reminded the Board that when sending emails to each other not to include all board members as it could be considered a serial meeting.

BUSINESS SERVICES

Consider Adoption of Resolution 9-13/14 to approve the Material Revisions to the Making Waves Academy Charter School

Bill Clark, Associate Superintendent, Business Services introduced Alton Nelson, Chief Executive Officer and Sherry Smith, Managing Director of Making Waves Academy. Mr. Nelson presented the petition request and shared a PowerPoint which outlined the key changes and revised mission and intended impact.

Ms. Ruehlig asked what prompted the request to change the science and foreign language requirement from three to two years. In response Mr. Nelson explained that the California Department of Education's recommendation is three years, but it is not a requirement. He said that most students will take the recommended level, but for a small percentage it would be a struggle. Therefore, the school wants to provide flexibility for students to earn their diploma. Ms. Ruehlig expressed concern that the sole statutory member has the right to elect, appoint, and remove board of directors. She said it looks like a private corporation and is not consistent with the structure of a public agency. Ms. Elster stressed the importance that the sole statutory member needs to have authority so that the mission, goals and structure of Making Waves is not undermined. Mr. Nelson noted that Making Waves has complied with the rules of California charter schools and follows the Brown Act. All of the school's financial records and minutes are public. This particular agreement allows for partnership and transparency and they will continue to provide information that is legally required. Dr. Ovick shared that John Scully is the individual who underwrites the charter. Bill Clark assured the Board that staff reviewed the restructuring of the Making Waves board and it does not change the public nature of the organization. He said it is an unusual board structure, but still conforms to the rule of a non-profit organization under tax and state rules.

In response to a question from Ms. Mirabella, Mr. Nelson explained that input is needed from stakeholders regarding LCAP and LCFF. A good way to get broad stakeholder input is through the school site council because it has a broad cross section of parents, students and teachers. He shared that the new funding model would allow more money to go directly to students. He said that the agendas and minutes will be posted on the web. Mr. Clark said that staff reviews the minutes.

Mr. Asadoorian asked if it would be considered a conflict of interest if the County Board of Education appointed a representative to the Making Waves board. Dr. Ovick replied that it is his recommendation and also legal opinion that it would be a conflict of interest. He further explained because this information has been shared publicly with the Board it is now a matter of public record. So, if someone were selected as a representative on the Making Waves board and the board for whatever reason finds itself in litigation, individual board members could be sued and would not be protected by the agency's insurance.

Mirabella moved and Asadoorian seconded the motion to adopt resolution 9/13-14.

Ms. Ruehlig moved to amend the motion to approve Section 2 and Section 5 and not approve Section 4. She said she feels the rationale for changing the structure is to protect private investment and is not consistent with a public agency.

Ms. Mirabella said she will not accept the amendment. She expressed confidence in staff's clarification that what is being done is legal and correct.

Ayes: Mirabella, Asadoorian, Elster
Noes: Ruehlig
Absent: Gomes
Abstain: None
Motion passed

Update on the County School Service Fund (CSSF) Investment Activities

Mr. Clark shared that the governor's budget shows an effort to continue to pay down deferrals. Although the COE revenue did not increase, the cash position has improved and is approximately \$2.6 million higher than last year. The benefit of additional interest income is also being seen.

Staff Report

Mr. Clark shared a newspaper article with information on the establishment of the New Jerusalem Charter School. The school operates in Knightsen where they are leasing space, but is chartered under the San Joaquin County Office of Education. He also gave the Board a chapter summary of the handbook on reorganization.

Ms. Ruehlig asked for feedback when Making Waves registers their bylaw change with the Secretary of State. Mr. Clark said he will follow up.

EDUCATIONAL SERVICES

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

Pamela Comfort, Associate Superintendent, Educational Services reported that this is the annual review and revisions of the school plans. Dr. Khan, Director of Innovation and Support works closely with the principals on annual revisions. Mrs. Mirabella asked about the length of instruction for students in Community Day School. Dr. Khan explained that because it is part of Program Improvement, the school day was extended thirty minutes per day last year. ROP classes are now being offered as well. Ms. Ruehlig asked if partial credits are being given. Dr. Khan explained that districts typically do offer partial credits. Some, but not all districts have a board policy to that affect.

Mirabella moved, Asadoorian seconded and the Board voted 4 to 1 to approve the Single Plan for Student Achievement as presented.

Ayes: Mirabella, Asadoorian, Ruehlig, Elster
Noes: None
Absent: Gomes
Abstain: None

Presentation on Developing and Implementing Common Core Instruction

Pam Tyson, Director, Educational Services and Marsha Tokuyoshi, Coordinator, Curriculum and Instruction (C & I) updated the Board on the work C & I is doing regarding implementation of Common Core. They shared highlights from the October 29 Common Core Summit and announced that a distinguished speaker series will begin next month. They gave a handout to the Board that lists the districts that have asked for support from the COE. They explained that professional development will be tailored to the individual needs of the district and a special committee has been formed to look at how to best prepare students to take the assessment test this coming year.

Presented as information.

Staff Report

See above

HUMAN RESOURCES

Staff Report

Karen Sakata, Deputy Superintendent reported that at the last Board meeting she shared information on the Supplemental Employee Retirement Program (SERP). Copies of the SERP handout were given to the Board. Ms. Sakata shared that she had received questions from Mr. Gomes about the program. She will bring written responses to those questions at the next Board meeting. In answer to one of the questions she explained that Dr. Ovick is not eligible to take SERP because he is the employer and not an employee. Ms. Sakata also informed the Board that the Contra Costa Teacher Recruitment Fair will take place March 1 at Pittsburg High School. All districts will participate.

President Elster left the meeting at 6:55 p.m. Before her departure she turned the gavel over to Ms. Mirabella who presided for the remainder of the meeting.

COMMUNICATIONS

Staff Report

Peggy Marshburn, Chief Communications Officer reported that work continues on the Academic Decathlon, Mock Trial and Distinguished Schools. Volunteers for these projects are still needed.

TECHNOLOGY SYSTEMS

Staff Report

Mac Carey, Chief Technology Officer, reported that he recently met with Assemblymember Susan Bonilla as a follow-up to the Education Roundtable that was held at Microsoft. They will meet again in the coming weeks.

BOARD

Legislative Update

Ms. Mirabella shared that the CCCSBA budget meeting scheduled for January 16 has been cancelled. The County Office of Education will hold a budget workshop on January 22.

Board Member Gomes is presenting to the Contra Costa County Board of Education (CCCBOE) a resolution ordering an election that would give the voters of Contra Costa County the opportunity to vote on whether the CCCBOE should appoint the county superintendent of schools or the electorate should continue to elect the superintendent of schools, and requesting that the Contra Costa County Board of Supervisors place the item on the general election ballot in November 2014

Pulled

Second Reading and Adoption, Board Policy 6146.6, Instruction – Identification and Education Under Section 504

Asadoorian moved, Ruehlig seconded and the Board voted 3 to 2 to adopt Board Policy 6146.6.

Ayes: Mirabella, Ruehlig, Asadoorian
Noes: None
Absent: Elster, Gomes
Abstain: None

Board Member Asadoorian requests approval to attend the National School Boards Association’s (NSBA) Annual Conference April 5 – 7, 2014

Asadoorian moved, Ruehlig seconded and the Board voted 3 to 2 to approve Mr. Asadoorian’s request to attend the National School Boards Association Annual Conference.

Ayes: Mirabella, Ruehlig, Asadoorian
Noes: None
Absent: Elster, Gomes
Abstain: None

PUBLIC COMMENT

None

CONSENT AGENDA

Ruehlig moved, Asadoorian seconded and the Board voted 3 to 2 to approve the Consent Agenda as follows: Minutes of the meeting of December 11, 2013; Temporary County Certificates; granting of high school diplomas to students MM 1-01/15/14 and MM 2-01/15/14.

Ayes: Mirabella, Ruehlig, Asadoorian
Noes: None
Absent: Elster, Gomes
Abstain: None

**CORRESPONDENCE/EVENTS
CALENDAR**

Correspondence: *None*

Calendar of Events:

Academic Decathlon Schedule

Subjective tests – speech and interview, January 25, 9:00 a.m.–12:30 p.m., Cal State East Bay Concord Campus

Subjective tests and superquiz, February 1, 8:00 a.m.–5:00 p.m., Los Medanos College

Academic Decathlon Awards, February 5, 6:00 p.m., Sequoia Middle School

Mock Trial Schedule

Preliminary Rounds, February 4, 6, 11 and 14, 5:00–8:30 p.m., Bray Bldg. Courthouse and annex, Martinez

Quarter Finals, February 18, 5:00–8:30 p.m., Bray Bldg. Courthouse and annex, Martinez

Semi Finals, February 20, 5:00–8:30 p.m., Bray Bldg. Courthouse and annex, Martinez

Finals, February 25, 5:00–8:30 p.m., Bray Bldg. Courthouse and annex, Martinez

Mock Trial Awards, February 27, 6:00–8:00 p.m., CCCOE Board Room

BOARD REPORTS OF ACTIVITIES None

ADJOURNMENT There being no further business, the meeting adjourned at 7:03 p.m.

Joseph A. Ovick, Ed.D., 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 15, 2014, 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.