

**County Board of Education  
Ronald L. Stewart Center  
77 Santa Barbara Road, Pleasant Hill, California  
March 19, 2014**

**ROLL CALL:** Pamela Mirabella, Area 1 Trustee; Daniel Gomes, Area 3 Trustee; Richard Asadoorian, Area 4 Trustee; and Cynthia Ruehlig, Area 5 Trustee

**Absent:**

**Others:** Joseph Ovick, Karen Sakata, Pamela Comfort, Bill Clark, Peggy Marshburn, Mac Carey, Loreen Joseph, Lindy Khan, Katie Gaines, Lynn Mackey, and County Office staff.

**Presiding:** The regular meeting of the Contra Costa County Board of Education was called to order by Vice President Gomes at 5:00 p.m. with the recitation of the Pledge of Allegiance.

**AGENDA REVIEW AND ADOPTION** Ms. Mirabella moved, Mr. Asadoorian seconded, and the Board voted 4-0 to approve the agenda as amended. Item 9.1 - Minutes, pulled by Ms. Mirabella and item 9.4 - Board absences, pulled by Ms. Ruehlig.

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

**PUBLIC COMMENT**

Items on the Agenda None

Items of Interest to the Public None

**RECOGNITIONS**

None

**CLOSED SESSION**

Interdistrict Transfer Appeal of students A-03/19/14 and B-03/19/14 from the Byron Union School District to Knightsen Elementary School District

The Board convened to Closed Session Hearing at 5:08 p.m. to consider the interdistrict attendance transfer appeal of parents for their children from Byron Union School District to Knightsen Elementary School District. The Board convened to Closed Session deliberation at 5:39 p.m. The Board reconvened to Closed Session Hearing at 5:43 p.m. and immediately to Open Session. On behalf of the Board, hearing facilitator Lindy Khan announced that the Contra Costa County Board of Education voted 3-1 to approve the interdistrict transfer appeal of Students A-03/19/14 and B-03/19/14 based upon Contra Costa County Board of Education Administrative Regulation 5200(E) 3.4, which states, student has special mental or physical health needs as certified by a physician, school psychologist or other appropriate school personnel that could be met in the district of proposed attendance.

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

The Board adjourned to a five minute recess and returned to Open Session at 5:49 p.m.

**PUBLIC HEARINGS**

None

**ADMINISTRATIVE ITEMS**

**SUPERINTENDENT'S REPORT**

Joseph Ovick, Ed.D., County Superintendent of Schools, provided to the Board copies of the California County Superintendents Educational Services Association (CCSESA) legislative platform for the new legislative year. Mr. Gomes asked Dr. Ovick if one of the functions of CCSESA is to act as a lobbyist. Dr. Ovick said he does not believe the association is a registered lobbyist, the individual superintendents are not, but will check. Mr. Asadoorian asked if the Board had ever used an administrative hearing panel for interdistrict transfer appeals. Dr. Ovick responded that it had been tried before, but the Board wanted to continue to hear the appeals themselves.

**BUSINESS SERVICES**

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

Bill Clark, Associate Superintendent, Business Services, reported that the County School Services Fund Investment Activities report is consistent with the investment policy practices. He said there is a slight uptick in interest from the same period as last year. Otherwise, the report is as expected.

**Staff Report**

Mr. Clark provided the Board with copies of the Education Code regarding board member absences. He explained that as board policy was developed, it was written to conform to language in the Education Code which states the Board of Education has the discretion to determine if a board member absence is due to hardship deemed acceptable by the Board. Ms. Ruehlig said it would be helpful to show the Board policy as well. Mr. Clark will bring back the Board policy and Education Code for a side by side comparison.

**EDUCATIONAL SERVICES**

**Provide Information Regarding the Contra Costa County Office of Education Common Core Expenditure Plan**

Pamela Comfort, Associate Superintendent, Educational Services, reported that according to Assembly Bill 86, every Local Education Agency (LEA) is required to develop a plan for expending the funds received in order to support implementation of Common Core. She presented the plan to the Board for review. The three areas allowed for expending the funds are professional development, materials, and technology. Title I funds will also supplement releasing some teachers for professional development. There will be stipends for the teachers that will become trainers. Lead teachers will work on the new materials adoption process. Additional computers, software and supplies need to be purchased to implement the Smarter Balanced Assessments that are coming soon.

**Staff Report**

Dr. Comfort reported that the TUPE grant submitted by Emily Justice, Coordinator, Tobacco Use Prevention Education (TUPE), was approved for funding. Earlier in the week it was announced that only fourteen of the fifty-seven applications were funded, with the Contra Costa County consortium grant being the only one funded in the east bay. The \$1.1 million grant will provide tobacco use prevention training for middle and high school students in the Antioch, Byron, and West County districts.

Dr. Comfort also reported that eight ROP/CTE students at Alhambra High School have qualified to go to the state Skills USA Competition. The competition will take place in San Diego.

Ms. Mirabella asked to pick up the materials early for the special board meeting scheduled for April 2.

**HUMAN RESOURCES**

**Consider options for filling the vacant seat for Trustee Area 2**

Karen Sakata, Deputy Superintendent, explained that the Board has sixty days to fill the vacancy that was created due to the unexpected death of Board President Ellen Elster on March 12, 2014. Ms. Sakata provided copies of the appointment process to the Board and staff. She shared that she has already received inquiries regarding applying for the vacant seat and explained that when someone asks for an application, the Human Resources department will verify that they live in Area 2. She also explained that should the Board decide to fill the vacancy, the process would need to be completed by May 12. If the Board chooses to call for a special election, the cost would be over \$300,000 and would also delay the process. If the Board chooses to appoint, the process information will be sent to the media on Thursday, March 20. Staff's recommendation is to appoint.

Ms. Sakata said the Board will be provided with the list of questions to ask the candidates. This is the same process that has been used in the past. The appointment process is public and both the interviews and the appointment would be done at the May 7 Board meeting. Ms. Mirabella asked that the candidate information packets be provided to the Board members for their review. Ms. Ruehlig asked for clarification regarding a petition to have a special election. Ms. Sakata explained that should the voters be unhappy with the appointment, they have thirty days to contest it and petition for a special election.

Mr. Asadoorian moved, Ms. Mirabella seconded, and the Board voted 4-0 to appoint a trustee to Area 2.

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

#### **Staff Report**

Ms. Sakata reported that seven employees have been sent layoff notices. However, if the Supplemental Employee Retirement Plan (SERP) goes through, it is expected that those notices will be rescinded. It will be determined by March 28 if the SERP will proceed.

Ms. Ruehlig asked what type of background checks are done for potential employees. Ms. Sakata explained there are two types of fingerprint checks. One is done through the Department of Justice and the other is through the State of California. Ms. Ruehlig asked if the Child Abuse Central Index (CACI) that lists pending investigations on individuals, can be utilized by the COE. Ms. Sakata will look into it.

Ms. Mirabella said she forwarded an email from Todd Groves to Dr. Ovick and Ms. Sakata. Dr. Ovick responded that they had received the email however, it is not appropriate to intervene in an investigation on behalf of a district board member.

#### **COMMUNICATIONS**

##### **Staff Report**

Peggy Marshburn, Chief Communications Officer, reported there are two teams going to the California State Academic Decathlon in Sacramento and one team going to the State Mock Trial in San Jose. Members of her staff will attend each event. COE has participants at the state competition for National History Day as well. Distinguished School visits continue and will conclude April 15. She reported that all of the visits so far have gone extremely well. Ms. Marshburn shared that recent press releases from her office have included the TUPE grant, the Alhambra ROP/CTE, the Annual Young Children's Forum and the board vacancy. Teacher of the Year applications are due Friday, March 28. The applications will be screened on April 4.

#### **TECHNOLOGY SYSTEMS**

##### **Staff Report**

Mac Carey, Chief Technology Officer, reported applying for E-Rates which will be used for the Heritage and Liberty special education sites. They have not yet found fiber to use to remove Liberty's network access off the Liberty School District network. However, they were able to find fiber from Heritage High School, so they are moving ahead there to provide connectivity onto the COE network. The connectivity allows the COE to provide more flexibility to the teachers for the resources they access on the internet as well as to increase their bandwidth. Both sites will continue to have internet connectivity. The difference will be that at Liberty they will continue to be a guest of the Liberty School network.

Ms. Mirabella shared information implementing a paperless agenda. She believes it may be time saving and cost effective. She suggested it be considered during the budget process. Mr. Carey will provide cost information to the Board.

**BOARD  
Legislative Update**

None

Mr. Asadoorian shared that Assemblymember Joan Buchanan is setting forth Assembly Bill 1643, sponsored by the Attorney General, which would require every county office of education in the state to have a School Attendance Review Board (SARB). Dr. Ovick shared that the COE has a SARB. Dr. Comfort shared that an attendance initiative has been started in the county. The county district attorney and multiple districts are involved. Dr. Comfort explained that chronic absences are different from truancy because chronic absences are excused, but the still students miss a lot of school days. Truancy is defined by law as students that have three full days or more of unexcused absences. Districts don't receive ADA for either type of absence. The push is to educate parents about the need for their children to be in school.

Mr. Gomes suggested listing Ellen Elster as president on the masthead and to place "in memoriam" next to her name. This will be an item on the next agenda.

Mr. Asadoorian asked that membership on the Board Policy Committee be an item on the next Board meeting agenda.

**PUBLIC COMMENT**

None

**CONSENT AGENDA**

Excuse the absences of Ms. Elster and Ms. Mirabella from the meeting of March 5, 2014. (pulled by Ms. Ruehlig)

Ms. Ruehlig said she would like the explanation of Board member's absences included on the agenda.

Mr. Gomes said every board member should report their absences, for whatever reason, to Ms. Joseph who will put it onto the Consent Agenda.

Mr. Asadoorian moved, Ms. Ruehlig seconded, and the Board voted 4-0 to approve the absence of Ms. Elster from the meeting of March 5, 2014, due to illness and the absence of Ms. Mirabella from the March 5, 2014 due to vacation/conference.

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

Minutes of March 5, 2014 (pulled by Ms. Mirabella)

Mr. Asadoorian moved, Ms. Ruehlig seconded, and the Board vote 3-0-1 to approve the minutes as presented.

Ayes: Gomes, Ruehlig, Asadoorian  
Noes: None  
Absent: None  
Abstain: Mirabella (Ms. Mirabella abstained because she was absent from the March 5, 2014 Board meeting).

Mr. Asadoorian moved, Ms. Mirabella seconded, and the Board voted 4-0 to approve the Consent Agenda, thereby approving the following:

Temporary County Certificates (TCCs)  
Granting of high school diploma to student MM 1-03/19/14

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

**CORRESPONDENCE/EVENTS  
CALENDAR**

**Correspondence:** *None*

**Calendar of Events:**

**March 20, CCCSBA, Legislators Dialogue Roundtable, 7:00 p.m., Serendipity/Mt. Diablo High (cancelled)**

**March 26** – Qtly Awards Ceremony, WCDF, 11:00 a.m. – 11:45 p.m.; **March 27** – Qtly Awards Ceremony, MCDF 10:00 a.m. – 10:45 a.m.; **June 25**, Qtly Awards Ceremony, WCDF 11:00 a.m. – 11:45 a.m.; **June 26**, Qtly Awards Ceremony, MCDF 10:00 a.m. – 10:45 a.m.

**September 11, Teacher of the Year Dinner**

**September 12-14, CCBE Fall Conference, Monterey**

**BOARD REPORTS OF ACTIVITIES**

Ms. Mirabella asked that the events listed on her board report be included on the agenda calendar. She has not yet connected with the attorney to find out the status of his report. She submitted his bill for payment.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 7:11 p.m. with a moment of silence in memory of Ellen Elster.

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 March 19, 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](mailto:ljoseph@cccoe.k12.ca.us).