

**County Board of Education
Ronald L. Stewart Center
77 Santa Barbara Road, Pleasant Hill, California
May 7, 2014**

SPECIAL LOCATION – PUBLIC HEARING & CLOSED SESSION

**Closed Session - Pleasant Hill Middle School, Room 501,
One Santa Barbara Road, Pleasant Hill, CA 94523**

**Public Hearing - Pleasant Hill Middle School, Multi-Purpose Room,
One Santa Barbara Road, Pleasant Hill, CA 94523**

**Regular Board Meeting - Contra Costa County Office of Education, Board Room, 3rd Floor,
77 Santa Barbara Road, Pleasant Hill, CA 94523**

ROLL CALL: Pamela Mirabella, Area 1 Trustee; Daniel Gomes, Area 3 Trustee; Richard Asadoorian, Area 4 Trustee; and Cynthia Ruehlig, Area 5 Trustee. Christine Deane, Area 2 Trustee joined the meeting at 12:30 a.m. after being appointed and sworn in.

Absent: None

Others: Joseph Ovick, Karen Sakata, Pamela Comfort, Bill Clark, Peggy Marshburn, Loreen Joseph, Jane Shamieh 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. in the multi-purpose room at Pleasant Hill Middle School, One Santa Barbara Road, Pleasant Hill, California, with the recitation of the Pledge of Allegiance.

AGENDA REVIEW AND ADOPTION Ms. Mirabella moved, Mr. Asadoorian seconded, and the Board voted 4-0-0 to approve the agenda as amended. Ms. Mirabella pulled the April 2, 2014 and April 9, 2014 minutes from the Consent Agenda.

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

PUBLIC COMMENT
Items on the Agenda None

Items of Interest to the Public Kent Caldwell said he is part of a group of community members interested in Walnut Creek schools separating from the Mt. Diablo Unified School District and forming a new Northgate Unified School District. He said the County Office of Education will be kept apprised of the progress.

RECOGNITIONS None

CLOSED SESSION The Board adjourned to Closed Session at 5:06 p.m. in Room 501 at Pleasant Hill Middle School, One Santa Barbara Road, Pleasant Hill, California.

The Board reconvened to Open Session at 6:01 p.m. Vice President Gomes reported that no action was taken in Closed Session.

PUBLIC HEARING
Public Hearing on the Petition to Establish the Dozier-Libbey Medical High School, a Public Conversion Charter The public hearing was opened by Vice President Gomes at 6:01 p.m. in the multi-purpose room at Pleasant Hill Middle School, One Santa Barbara Road, Pleasant Hill, California.

Bill Clark, Associate Superintendent, Business Services, explained that on March 19, 2014, the Antioch Board of Education denied the conversion charter petition of Dozier-Libbey Medical High School. The Contra Costa County Board of Education received the petition appeal on April 9, 2014. He explained that Dozier-Libbey is a medical career high school in the Antioch Unified School District which opened in 2008. Currently it holds up to 650 students in grades 9-12. Dozier-Libbey conversion charter's stated mission is to challenge students with exciting, rigorous instruction that prepares them with the knowledge and experience to succeed in health science professions and college.

Comments from Petitioners

Dr. Cynthia Soraoka, founding teacher of Dozier-Libbey Medical High School and petitioner of the independent charter high school along with lead petitioners Lisa Kingsbury, Kasey Graham and Stacey Wickware shared a PowerPoint presentation highlighting the petition's mission statement. They explained how they will serve special education students and English language learners. They shared information on ways the charter would implement a student server, expand arts offerings, and partner with UCSF to implement a forensic pathology course. They said they are prepared for the financial rigors of becoming a charter school. They shared they will recruit from all areas of Antioch. They also plan on providing field trips to Kaiser and John Muir.

Comments from Antioch Unified School District

Joy Motts, President, Board of Education, Antioch Unified School District read a statement on behalf of the Board. On March 19, 2014 the Antioch Board of Education considered the petition proposing to convert Dozier-Libbey Medical High School into a charter school to be run by a non-profit corporation. She said the petitioners did not use an inclusive, transparent process to hear the voices of students, parents, and their colleagues. The Board of Education made required findings of fact consistent with Education Code 47605(b) when denying the petition. Those findings identified serious concerns with the proposed educational program focused primarily on high achieving students. The findings also found a lack of stated compliance with all conflicts of interest laws, a flawed budget and proposed financial statements, and failure to comply with Proposition 39 regulatory timelines for school facilities. They asked that County Board of Education deny the petition.

Jack O'Connell, former State Superintendent of Schools, said the law was not intended to disrupt schools that are working well. He said it is important to engage and involve all of the parents, the entire community throughout the complex chartering process. He urged the County Board of Education to not approve the conversion.

Comments from the Public

The following spoke in support of approving the Dozier-Libbey Medical High School Public Conversion Charter Petition: Cynthia Soraoka, Stacey Wickware, Nick Driver, Angela Lacy, April Padilla, Rachel De Los Reyes (on behalf of her sister), Michelle Adams, Dr. Mike Kern, Ken Kies, Sherrie Kies, Jim Bonwell, Lori Bonwell, Laura Lindeman, Edgar Osorio, Pam Gabrielli, Rachel Backlund, Andrew Grant, Jason Miller, Mega Bonwell, Rafaela Huerta, Paul Lindeman, Lisa Kingsbury, Sarah Melvin, Natalie Loomis, Christine Loomis, Gavin McDaid, Janet McDaid, Kasey Graham, Vicki O'Connor, Matha Peters, Kristen Pullen, Ruth Masayko, Kris Bucu, Cassandra Varner, Ron Varner, Dana Clutter, Paul Minney, Tom Gravent, Neil McChesney, Lisa Backlund, Callie Martinez, Renita Angus, Jerry Simmons, Mimi Metu, Ifeoma Metu, Arthur Metu, Sarah Steen, Lynn Stevens, Jared Peter, Laurie Lewis, Mariana Trujillo, and Elizabeth Martin.

The following spoke in opposition of the Dozier-Libbey Medical High School Public Conversion Charter Petition: Bridget Fuchs, Scott Bergerhouse, Cardenas Shackelford, Bob Sanchez, Mary Rocha, Mizrahy Aquino, Harold Henderson, Wade Harper, Tim Forrester, Angel G. Lueano, Christine Todd, Willie Mims, Chris Colcord, Rigbin Schmidt, Keith Archuleta, Velma Wilson, Phelicia Lang, Michael Sagehorn, Ken Gardner, Sinthia Walker, Sandie Sadler, Doug Schlicter, Cindy Friedmann, Martha Steele Spellman, Jason Larson, Denise Pesmark, Theresa Romo, Michael Green, Brian Clark, Sandra Wilbanks, Louie Roche, Debra Vinson, Marice Myers, Carmen Zavala Belle, Michael Santos, Charles Smith, Scott Smith, David Soldani, Dylan Howell, Kevin Gordon, and Jeff Belle.

If a speaker card was not turned in, the speakers name may not be included in the above list because there was no way to verify name/spelling.

Close Public Hearing

Vice President Gomes closed the public hearing at 9:50 p.m.

The Board reconvened at 10:17 at Contra Costa County Office of Education, Board Room, 3rd Floor, 77 Santa Barbara Road, Pleasant Hill, CA 94523

PROVISIONAL APPOINTMENT OF TRUSTEE, AREA 2

Karen Sakata, Deputy Superintendent, introduced each of the five candidates who applied for the provisional appointment for the position of Trustee Area 2, Contra Costa County Board of Education: Christopher Cajski, Christine Deane, Merle Hall, Brian Phan, and Chester Stevens. She outlined the procedure that would be following for interviewing the candidates. Each Board member took turns asking prepared questions of the candidates who responded publicly before the Board. After the interview process was completed, Ms. Sakata tallied the Board's ratings of the candidates.

The Board recessed at 12:24 and returned to Open Session at 12:30.

Mr. Gomes announced that Christine Deane had received the highest score. Ms. Mirabella moved, Mrs. Asadoorian seconded, and the Board voted 4-0-0 to appoint Christine Deane as the provisional appointee for the position of Trustee Area 2. Ms. Deane's appointment will be provisional for thirty days during which time voters of Trustee Area 2 may petition to have a special election to fill the vacancy. If no petition is submitted within thirty days, Ms. Deane will be the successful appointee who will serve until November 27, 2014.

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

OATH OF OFFICE, TRUSTEE, AREA 2

Joseph A. Ovick, Ed. D., County Superintendent, administered the Oath of Office to Christine Deane. Ms. Deane then took her seat at the Board console.

ADMINISTRATIVE ITEMS

SUPERINTENDENT'S REPORT

Joseph Ovick, Ed.D., County Superintendent of Schools, cautioned the Board to not leave personal items in the Board console drawers in the Board room.

Ms. Ruehlig said "I really need to make a comment on this. That we appreciate your constant reminder regarding the Brown Act and we need to make sure that anything that we discuss is in the agenda and also we need to make sure, because I know that when we have expulsions we are not allowed to accept documents once that process is in progress and so I hope that this is something that is very clear and if it is not clear then we really need to consult with County Counsel, Ms. Schwerin, about accepting documents once the process has started. Whether its expulsion, whether it's other adjudication procedures. And if I am wrong with my assumption, I would like clarification from County Counsel."

Mr. Gomes said he believes she is right and it is his understanding of it too. The Board is making judgment on the original documentation that was presented to the Board that denied the interdistrict transfer.

Dr. Ovick said that the agenda item being discussed is Superintendent's Report and since this was not part of his staff report, they needed to follow the agenda. He said their comments were well taken.

BUSINESS SERVICES

Consider acceptance that the conditions as submitted by the Caliber K-8 Charter School as set forth in the Memo of Understanding (MOU) between the CCC Board of Education and the Caliber K-8 Charter School that was approved at the August 14, 2013, Board meeting and amended at the Board's November 13, 2013, Board meeting have been met.

Jane Shamieh, Controller, Contra Costa Office of Education reported that the petitioners have met all the conditions of the Memorandum of Understanding.

Ms. Mirabella gave copies of her questions to the Board members. She asked if staff had visited the site. Ms. Shamieh responded that staff, which included the Director of Facilities, had visited the site. Ms. Mirabella asked if eliminating parking means there is no play area for the students. The petitioners answered that there are two site options. They will be negotiating with local gymnasiums to be able to expand additional play space. Ms. Mirabella asked if a Proposition 39 agreement has been reached. The petitioners shared that they have been offered Stege Elementary as a co-location. They have until Friday to agree on terms.

Ms. Mirabella asked if there was concern about budget forecasting. In response, Bill Clark said they are more than fiscally solvent. In 2015-16, sufficient funding will have been raised to cover all deficits.

Mr. Asadoorian moved, Ms. Mirabella seconded, and the Board voted 5-0-0 to approve the acceptance that the conditions as submitted by the Caliber K-8 Charter School as set forth in the Memo of Understanding (MOU) between the CCC Board of Education and the Caliber K-8 Charter School that was approved at the August 14, 2013, Board meeting and amended at the Board's November 13, 2013, Board meeting have been met.

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

Consider approval of a Sub-Lease Agreement between the Contra Costa County Board of Education and the County of Contra Costa for a 960 square foot classroom building located at 470 Parker Avenue, Rodeo

Ms. Mirabella moved, Mr. Asadoorian seconded, and the Board voted 5-0-0 to approve the Sub-Lease Agreement between the Contra Costa County Board of Education and the County of Contra Costa for a 960 square foot classroom building located at 470 Parker Avenue, Rodeo.

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

Deny the claims of: 1) K.S. by Guardian Ad Litem Georgina Sanchez (filed 4/14/14); 2) O.C. by Guardian Ad Litem Socorro Cardenas (filed 4/14/14); 3) B.C. by Guardian Ad Litem Cecilia Villanueva (filed 4/14/14); and 4) John Doe, Father John Doe, and Mother Jane Doe by Adam Carlson, Esq. and Andrew C. Schwartz, Esq. (filed 4/29/14)

Ms. Mirabella moved, Mr. Asadoorian seconded, and the Board voted 5-0-0 to deny the claims of 1) K.S. by Guardian Ad Litem Georgina Sanchez (filed 4/14/14); 2) O.C. by Guardian Ad Litem Socorro Cardenas (filed 4/14/14); 3) B.C. by Guardian Ad Litem Cecilia Villanueva (filed 4/14/14); and 4) John Doe, Father John Doe, and Mother Jane Doe by Adam Carlson, Esq. and Andrew C. Schwartz, Esq. (filed 4/29/14)

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

Staff Report

None

EDUCATIONAL SERVICES

Present information regarding the Contra Costa County Office of Education Common Core Expenditure Plan

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

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

Staff Report

None

HUMAN RESOURCES

Staff Report

Karen Sakata, Deputy Superintendent, shared the vacant board position was posted at the Stewart Building, Contra Costa Library, and the cities of Concord, Hercules, Lafayette, Moraga, Orinda, Martinez, Pinole, Pleasant Hill, Richmond, and Walnut Creek. It was also sent to the Chief Clerk of the Board of Supervisors to post. It was published in the San Ramon Valley Times, Contra Costa Times, Walnut Creek Times, East County Times and emailed to every school district and asked that it be posted there. The appointment will be posted in the same places.

COMMUNICATIONS

Staff Report

None

TECHNOLOGY SYSTEMS

Staff Report

None

BOARD

Legislative Update

Ms. Mirabella asked Dr. Ovick to review the handout she will be giving legislators at the CCCSBA Lobby Day and to contact her if he has any changes.

Policy Committee Members

Mr. Asadoorian nominated Ms. Deane to serve on the Policy Committee. Ms. Mirabella moved, Ms. Ruehlig seconded, and the Board voted 5-0-0 to appoint Ms. Deane to the Policy Committee.
Ayes: Mirabella, Asadoorian, Ruehlig, Gomes, Deane
Noes: None
Absent: None
Abstain: None

PUBLIC COMMENT

Charles Smith spoke on the recent decision of an expulsion hearing heard by the County Board of Education.

Willie Mims spoke on the recent decision of an expulsion hearing heard by the County Board of Education.

CONSENT AGENDA

Minutes of the meeting of April 2, 2014

Ms. Mirabella moved, Ms. Ruehlig seconded, and the Board voted 3-0-2 to approve the Minutes of April 2, 2014.

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

Minutes of the meeting of April 9, 2014

Ms. Mirabella moved, Ms. Ruehlig seconded, and the Board voted 3-0-2 to approve the Minutes of April 9, 2014.

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

**Consider Temporary County
Certificates (TCCs)**

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

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

**CORRESPONDENCE/EVENTS
CALENDAR**

Correspondence: *None*

Calendar of Events:

May 8, 4:00 p.m. ROP Students of Excellence Ceremony, Concord Senior Center, 2727 Parkside Circle, Concord

May 9, CSBA Local Legislator Lobby Day

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

December 14 – 16, CSBA Annual Conference, Moscone, San Francisco

BOARD REPORTS OF ACTIVITIES

Ms. Ruehlig recently visited New Orleans where she gathered articles on charter schools. She will bring the information to the next meeting.

Ms. Mirabella attended Assemblywoman Skinnners Budget Hall Meeting. She organized and met with West County stakeholders to discuss K-14 career pathways. She also attended the Richmond Youth Summit. She attended the El Cerrito Democratic Club, the Northern California Special Olympics.

Mr. Asadoorian said his report is on the expenditure report he turned in. He asked if Ms. Deane could be brought up to speed on the Brown Act and as well as other issues. Dr. Ovick responded in the affirmative.

ADJOURNMENT

There being no further business, the meeting adjourned at 1:24 a.m., May 8, 2014.

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 May 7, 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.