

**County Board of Education
Ronald L. Stewart Center
77 Santa Barbara Road, Pleasant Hill, California
May 21, 2014**

SPECIAL LOCATION

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

Absent: Christine Deane, Area 2 Trustee

Others: Joseph Ovick, Pamela Comfort, Bill Clark, Peggy Marshburn, Mac Carey, 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 6:00 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 4-0-1 to approve the agenda as amended. Ms. Mirabella pulled the May 7, 2014 minutes from the Consent Agenda. Ms. Ruehlig pulled the acceptance of public gifts.

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

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

RECOGNITIONS None

CLOSED SESSION None

Consider Petition to Establish the Dozier-Libbey Medical High School, a Public Conversion Charter

Comments from Petitioners Stacey Wickware, teacher and lead petitioner said she believes that each staff findings can be addressed in their written response previously submitted. She said she hopes the Board will work with them on a conditional approval through a Memorandum of Understanding.

Comments from Antioch Unified School District Joy Motts, President, Board of Education, Antioch Unified School District said the petition is a bad idea. She said that Dozier-Libbey Medical High School was created by the community and belongs to the whole community. She said public sentiment against the charter is overwhelming and that the petition is fatally flawed.

Comments from the Public

The following spoke in support of approving the Dozier-Libbey Medical High School Public Conversion Charter Petition: Karen Mahan, Angela Lacy, Rachel Backlund, Stacey Wickware, Callie Martinez, Vickie O'Connor, Dana Clutter, Dr. Cynthia Soraoka, Matha Peters, Lori Bonwell, Sarah Steen, Tina Piper, Lynn Stevens, Tom Comroft, Cassandra Varner, Paul Minney, Ifeoma Metu, Lisa Backlund, and Renita Angus.

The following spoke in opposition of the Dozier-Libbey Medical High School Public Conversion Charter Petition: Odessa Lafranois, Velma Wilson, Christine Todd, Theresa Romo, Jason Todd, Ruth Masayko, Synthia Walker, Tim Forrester, Cardenas Shackelford, Sherrie Kies, Ken Kies, Joshua Samuel, Jordan Orosco, Mary Rocha, Essence Phillips, David Porcel, Span Wright, Jeff Belle, Jason Larson, Wade Harper, Cindy Friedmann, Harold Henderson, Carmen Zavala-Belle, and Bridget Fuchs.

Staff presentation of its report on the petition

Jane Shamieh, County Office of Education, Controller, presented staff's findings of fact. She explained that the petition is reviewed by an eleven member committee. She said it is clear that the school has outstanding, dedicated teachers, but the review committee is bound by charter law and the four corners of the petition. The committee found that the petition is insufficient in numerous areas and as such warrants denial. Staff does not believe it can be addressed by a conditional approval. In the area of educational programs, the petition did not adequately address service to English learners, special education or low achieving students. In the area of racial/ethnic balance recruitment, what was provided in the petition was not reasonably comprehensive. The revenue was unsubstantiated and the line of credit is conditional. The Governance structure was not clear either. Therefore, staff recommends denial of the petition.

Consider Action to either Deny the Petition to establish the Dozier-Libbey Medical High School, a Public Conversion Charter, and to Adopt Resolution 12-13/14 reflecting denial of the Petition and related factual findings, or to Declare Intent to Approve the Petition and specify any conditions necessary for approval

In response to a question from Ms. Ruehlig, Dr. Saraoka explained they want to expand the program to include interacting with health care professionals globally and locally. They also want more technology. Ms. Mirabella asked where they will get the money to provide new technologies. In answer, it was explained there would be a much lower indirect cost rate and the savings would be passed along to the classroom.

Mr. Asadoorian said that under Proposition 39 this conversion charter should have made an application in November in order to get the present facility, but they did not. He asked what guarantees that they can have the facility. The attorney for the petitioners responded that regulations do not require conversion schools in their first year to make an application for a converted school site. In the second year and thereafter, a request to remain must be made.

Ms. Mirabella said she thinks the no "D" grade policy is not good and would preclude students that need assistance to achieve a "C" grade. The petitioners replied that it is not in the petition, although it is in the introduction. They haven't asked that it be included as any type of assessment going forward.

Mr. Asadoorian stated that charter schools are conceptualized because of failing schools. He asked if Clayton Valley Charter High School promised them any funds. The petitioners responded that they had not.

Ms. Ruehlig asked for data to back up the findings of the uncertain enrollment projection. Bill Clark, Associate Superintendent, Business Services shared the general position is that it is reasonable to assume there would be some adverse impact on the projected enrollment as a result and characteristic of the petition.

Ms. Mirabella said she will vote against the petition and she supports staff's findings. The intent of the law is to allow teachers and community members to come together and support schools that are not performing well and give parents a choice using public money. Past records show the school has been very successful. She wishes the petitioners could now work with the district.

Ms. Ruehlig said her decision is based on whether this is a sound educational program. The fact that it succeeded in 2011 tells her it is sound and likely to succeed. She believes that if it is approved at the state level no one in Antioch will have a vote on what happens at the charter.

Ms. Mirabella moved, Mr. Asadoorian seconded and the Board voted 4-1-1 to deny the petition to establish the Dozier-Libbey Medical High School.

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

The Board recessed at 8:20 p.m. and reconvened at 8:46 p.m. at Contra Costa County Office of Education, Board Room, 3rd Floor, 77 Santa Barbara Road, Pleasant Hill, CA 94523. Mr. Asadoorian was not in attendance for the remainder of the meeting.

ADMINISTRATIVE ITEMS

SUPERINTENDENT'S REPORT

None

BUSINESS SERVICES

Consider acceptance that the conditions submitted by the Summit Public School: K2 Charter School as set forth in the Memorandum of Understanding (MOU) between the CCC Board of Education and the Summit Public School: K2 Charter School that was approved at the November 13, 2013, Board meeting and amended at the Board's March 5, 2014, Board meeting have been met

Kelly Garcia, Executive Director, Summit Charter School answered questions that had been submitted by Ms. Mirabella. She said there is an assumption in the multi-year budget that administrators and teachers receive raises. Salaries are based on a performance rubric. Variable compensation is part of the compensation package. Ms. Mirabella suggested to Ms. Garcia to consider the closed Orchard store on San Pablo Avenue as a future facility. She asked what resources the charter has to remodel the site.

Ms. Ruehlig moved, Mr. Gomes seconded, and the Board voted 2-1-2 to approve as amended. (Mr. Gomes asked that language be corrected on the last page to state Contra Costa County Board of Education.)

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

Consider adoption of Resolution No. 13-13/14 to verify Amended Certificate of Signatures of person or persons authorized to sign orders drawn on the funds of the county office and Notice of Employment as defined on the Certificate

Due to the recent appointment of Christine Deane to the Board of Education, the Certificate of Signatures needs to be updated.

Ms. Ruehlig moved, Ms. Mirabella seconded, and the Board voted 3-0-2 to approve as presented.

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

Consider approval of lease renewal between the Contra Costa County Office of Education and the California State Teachers' Retirement System

Ms. Mirabella moved, Ms. Ruehlig seconded, and the Board voted 3-0-2 to approve as presented.

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

Staff Report

None

EDUCATIONAL SERVICES

Presentation of the 2014-15 Staff Calendars

Proposed 2014-15 Contra Costa Office of Education staff calendars for Management/Confidential and Professional/Administrative, Certificated and Classified employees are being provided to the County Board of Education for information. Copies of the calendars have been transmitted to representatives of both employee organizations for comment. Presented as information.

Staff Report

None

HUMAN RESOURCES

Staff Report

None

COMMUNICATIONS

Staff Report

None

TECHNOLOGY SYSTEMS

Staff Report

None

BOARD

Legislative Update

Board members request to attend California County Boards of Education (CCBE) 2014 Fall Conference

Ms. Ruehlig moved, Ms. Mirabella seconded, and the Board voted 3-0-2 to approve the request of Board members to attend the California County Boards of Education (CCBE) 2014 Fall Conference.

Ayes: Ruehlig, Gomes, Mirabella

Noes: None

Absent: Deane, Asadoorian

Abstain: None

PUBLIC COMMENT

None

CONSENT AGENDA

Ms. Mirabella asked that corrections and changes be made to the minutes of May 7, 2014. She shared the list with the Board and Superintendent Ovick.

Ms. Mirabella moved, Ms. Ruehlig seconded, and the Board voted 3-0-2 to approve as amended.

Ayes: Ruehlig, Gomes, Mirabella

Noes: None

Absent: Deane, Asadoorian

Abstain: None

Ms. Ruehlig moved, Ms. Mirabella seconded, and the Board voted to approved the public gifts as listed:

Donation of \$4000 from Mr. & Mrs. J. Cochran for East County Liberty Transition Program.

Donation of \$1629 from Columbine Foundation for Lucille G. Mauzy School.

Donation of \$250 from Virginia & Don Patterson for Floyd I. Marchus Schools' Strawberry Corner.

Donation of \$100 from Mrs. Elizabeth McPeek for East County Program at LMC Transition.

Donation of Employee Recognition Award (Estimated Value \$72.01) from Mrs. Jane Shamieh for East County Programs at Heritage High School and Liberty Transition.

Ayes: Ruehlig, Gomes, Mirabella

Noes: None

Absent: Deane, Asadoorian

Abstain: None

Ms. Mirabella moved, Ms. Ruehlig seconded and the Board voted 3-0-2 to approve the remaining Consent Agenda items as presented.

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

Donation of \$1000 from the Association of California School Administrators, Region 6 (ACSA) to teacher Maryanne Britten to use in her classroom at Mt. McKinley School.

Granting of a Contra Costa County High School Diploma to high school student MM 1-5/21/2014.

Granting of a Contra Costa County High School Diploma to adult school student CCAS 1-5/21/2014.

Granting of a Contra Costa County High School Diploma to adult school student CCAS 2-5/21/2014.

Granting of a Contra Costa County High School Diploma to adult school student CCAS 3-5/21/2014.

CORRESPONDENCE/EVENTS CALENDAR

Correspondence: Correspondence received from members of the public regarding the Dozier-Libbey Medical High School Charter Petition is available for review.

Calendar of Events:

May 28, 12:00 p.m., Graduation, Central and East County Student Programs, Community Center @ Brentwood City Hall, 35 Oak Street, Brentwood

May 29, 6:30 p.m., Transition Program Commencement, Loma Vista Adult Education, 1266 San Carlos Ave., Concord

June 25, Qtlly Awards Ceremony, WCDF 11:00 a.m. – 11:45 a.m.; **June 26**, Qtlly 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 Center, San Francisco

BOARD REPORTS OF ACTIVITIES

Ms. Ruehlig and Ms. Mirabella attended the ROP graduation. Ms. Mirabella also attended the West Contra Costa Public Education Ed Fund event. She also attended the Dream Makers Breakfast and met with Dr. Ovick, Karen Sakata, Dr. Comfort, Madeline Kronenberg, and Todd Groves to discuss usage of technology in WCCUSD.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:29 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 May 21, 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.