

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

- ROLL CALL:** Pamela Mirabella, Area 1 Trustee; Christine Deane, Area 2 Trustee; Daniel Gomes, Area 3 Trustee; Richard Asadoorian, Area 4 Trustee; and Cynthia Ruehlig, Area 5 Trustee.
- Absent:** None
- Others:** Joseph Ovick, Terry Koehne, Bill Clark, Loreen Joseph 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 5-0-0 to approve the agenda as amended, minutes pulled by Ms. Mirabella.
- Ayes: Mirabella, Asadoorian, Gomes, Ruehlig, Deane
Noes: None
Absent: None
Abstain: None
- PUBLIC COMMENT** Kipp Penovich, Clayton Valley Education Association, said he has been with Clayton Valley Charter High School (CVCHS) since its conversion and while many aspects at the school are excellent, there is still room for growth.
- RECOGNITIONS - none**
- CLOSED SESSION - none**
- PUBLIC HEARING**
- Public Hearing on the Petition to Renew the Clayton Valley Charter High School** Vice President Gomes opened the public hearing at 5:07 p.m. Bill Clark, Associate Superintendent, Business Services introduced the Clayton Valley Charter High School (CVCHS) renewal petition. He explained that this is part of the process to gather information and facts in preparation for the decision that will be made whether to renew the charter.
- David Linzey, Executive Director, CVCHS, shared the charter has been successful and they have met all criteria for reauthorization. He said there has been great response from students and the parent community for the transformation that has taken place on campus. Neil McChesney, Director of Administrative Services, gave a PowerPoint presentation. He explained that the typically endorsed timeline for renewal is to begin work in the summer of the final year and go through the process with the authorizing body in the fall. He thanked the Board and staff for their positive partnership with CVCHS. He shared how they went through a drafting process that involved work with legal counsel and staff. The document was then shared with stakeholders to invite feedback and then finally to submit it to the authorizing body for approval. Their objective was to not radically change the document, but there was need for updating. Language needed to be adjusted as Education Code prescribes to reflect the schools current status, the progress made, and the development of the institution, so it looks like what the school is now. They feel confident that the document they have presented speaks to all sixteen required charter elements. They would like a five-year renewal, which would take them to 2020.

Public Comment

The following spoke in support of approving the charter renewal: Deanne Carlson, Kevin King, David Shuey, Kristy Downs, Howard Geller, Michelle Lopez, Joe Medrano, Ted Meriam, Carol Longshore, Megan Kommer, April Winship, Marcia Mason, Julie Pierce, and Alison Bacigalupo

Kipp Penovich, teacher and union president, expressed disappointment in the wording of some of the items in the renewal petition.

Board Questions/Comments

Ms. Ruehlig expressed her preference to remove the County Board of Education as the appellate body of the CVCHS, citing that if a student is dismissed from CVCHS they can immediately enroll in Mt. Diablo Unified School District, which is the district mandated to educate them. In response to a question regarding independent study, Mr. Linzey explained that students on short term suspension are provided school work. Presently, teachers help by providing school work, but it is not in the petition. The attorneys recommended including language to that affect and the Clayton Valley Charter Board agreed. Mr. McChesney stated that amendments to the bylaws to align with what is being included in the petition were approved by the Clayton Valley Charter Board on October 8, 2014. There was a section added to clarify conflict of interest by providing clarification to make sure they are in compliance in terms of the makeup of the charter board being 49% interested parties and 51% being non-interested parties. Language was simplified to state the Clayton Valley Charter Board can create committees to help them do their work at their discretion and to align it with the governance element in the charter petition. He shared that the first article of the collective bargaining agreement states the teaching employee has the right to opt out of the collective bargaining unit for either personal or religious reasons. If they opt out they pay the same dues, but can designate they be given to a charity of their choice. He believes the Clayton Valley Charter Board's intention is to not be exclusionary. Regarding accusations that the charter school used financial resources for activities not related to CVCHS, Mr. Linzey said that a private investigation firm found the allegations to be unfounded.

Ms. Ruehlig asked if CVCHS charges fees to transport students to activities. Mr. Linzey replied they do not. He further explained that students are never removed from instruction, athletics, or any other activity due to whether or not they contribute. In answer to a question from Ms. Mirabella, he explained that charter schools are not required to have a reserve for economic uncertainty. However, he has asked that five percent be taken out of the ending balance and put into an economic uncertainty line item. Ms. Mirabella requested the actuals for 2013/14. Mr. Linzey said he will email them to her. They are also posted on the website. He shared that CVCHS no longer takes funds away from MDUSD. They have they're own SELPA and their money is passed to them from the El Dorado SELPA Mr. Clark noted that CVCHS has participated in county sponsored Local Control Accountability Plan (LCAP) workshops, but they are not required to submit their LCAP to the County Office of Education for review. Their LCAP is available on their website.

Ms. Deane voiced her concern regarding adding language on page 81 which states "may be a member of the respective bargaining unit". Mr. Linzey explained that it was added because there could be an administrative representative that is not a member of a bargaining unit. Michelle Lopez, Young Minney and Corr, further explained that teachers at CVCHS can certainly be part of the union, but the Education Employment Relations Act allows for teachers to vote to no longer be part of a union. Therefore, if that were to happen, they wanted to make sure the charter would still be flexible enough to account for that situation.

Ms. Ruehlig asked for legal opinion whether the CCCBOE is putting themselves in legal liability by becoming the appellate body of a charter school. Ms. Mirabella asked to see the schedule of teacher and classified salaries. Mr. Gomes closed the public hearing at 7:03 p.m.

Following the public hearing, the board adjourned for a brief break and reconvened at 7:12 p.m.

ADMINISTRATIVE ITEMS

SUPERINTENDENT’S REPORT

Joseph Ovick, Ed.D., County Superintendent of Schools, commended Mr. Gomes for doing an admirable job running the charter renewal hearing. Ms. Deane asked if the charter renewal petitioners can be asked to make adjustments to the renewal petition if needed. In response, he explained it could be done through a Memorandum of Understanding or by asking for amendments to the renewal. Mr. Clark said it’s standard to have an MOU that clarifies final conditions. Dr. Ovick shared that he recently submitted an amended Fair Political Practices Commission (FPPC) Form 700 for the year 2012. This was to correct an item that had been inadvertently left off the original filing.

BUSINESS SERVICES

Consider Adoption of Resolution No. 2-14/15 to establish the Appropriations Limit on Proceeds of Taxes, Gann Limit, for 2013-14 and for the estimated 2014-15

Ms. Mirabella moved, Ms. Ruehlig seconded, and the Board voted 5-0-0 to adopt Resolution No. 2-14/15 as presented.

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

Consider Board Resolution 3-14/15 in the Matter of the Contra Costa County Board of Education Authorizing an Agreement between the State of California Department of Health Care Services and the Contra Costa County Office of Education and Authorizing Bill Clark, Associate Superintendent, Business Services, to Execute Said Agreement

Mr. Mirabella moved, Mr. Asadoorian seconded, and the Board voted 5-0-0 to adopt Resolution No. 3-14/15 as presented.

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

Consider Adoption of Board Resolution 4-14/15 in the matter of Contra Costa County Board of Education authorizing Agreement No. 5600004822 between the State of California Department of Corrections and Rehabilitation and the Contra Costa County Office of Education

Ms. Mirabella moved, Mr. Asadoorian seconded, and the Board voted 5-0-0 to adopt Resolution No. 4-14/15 as presented.

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

Staff Report

Bill Clark, Associate Superintendent, Business Services, shared that in answer to a question from the Board regarding conference costs and reimbursements, the Board may have their conference registration and housing paid by the agency beforehand. Incidental expenses, such as taxi fares, meals outside of the conference, etc. would need to be submitted as part of their reimbursement. Mr. Clark said there was a question about the Summit Charter student enrollment application that may identify and potentially discriminate against students in some fashion. He has asked Summit to send him a copy of their application which he will review. Sites visits have been scheduled to visit Caliber Charter school October 28 as part of the annual process.

EDUCATIONAL SERVICES

Staff Report

None

HUMAN RESOURCES

Staff Report

None

COMMUNICATIONS

Staff Report

Terry Koehne, Chief Communications Officer, shared that the Model UN program will begin soon. He reported there has been one confirmed case of enterovirus in the county. The County Health Services protocol is to not release any information about the student or the school. He has been working with them to provide information to schools and school districts about preventative care. Mr. Koehne reported there were two bomb threats at Marchus school recently. Both proved to be hoaxes. Ms. Deane suggested the Board send a note of thanks to the staff at Marchus for the extra work they did during the threat. Board consensus was to send a thank you note.

TECHNOLOGY SYSTEMS

Staff Report

None

BOARD

Legislative Update

Board Member Pamela Mirabella will present the West Contra Costa Unified School District Board of Education “State of Our Schools Award” to Joseph A. Ovick, Ed.D., County Superintendent of Schools

Ms. Mirabella presented Dr. Ovick with the West Contra Costa Unified School District Partner of the Year Award, in recognition of his outstanding contribution to public education.

PUBLIC COMMENT

None

CONSENT AGENDA

Consider approval of minutes of October 1, 2014

Mr. Mirabella moved, Ms. Ruehlig seconded, and the Board voted 5-0-0 to approve the minutes as amended. Terry Koehne was added to the list of attendees at the October 1, 2014 Board meeting.

Consider Acceptance of Public Gifts

Donation of \$120.00 from Ms. Lynda D. Williams for East County Liberty Transition Program

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

Consider acceptance of a \$50,000 grant from the City of San Pablo to prepare 35 middle and secondary school students to graduate from high school, be career ready, and in college

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

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

**CORRESPONDENCE/EVENTS
CALENDAR**

Correspondence: None

Calendar of Events:

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

December 16, Qtly Awards Ceremony, WCDF, 11:00 a.m. – 12:00 p.m.

December 17, Qtly Awards Ceremony, MCDF, 10:30 – 11:30 a.m.

BOARD REPORTS OF ACTIVITIES

On October 3, Ms. Mirabella attended the West Contra Costa Unified School District (WCCUSD) State of Our Schools event. She also attended the WCCUSD Board of Education Candidates Forum. On October 7 she met with Kipp Penovich, President, CVEA union. Ms. Deane visited Regional Occupational Programs at Acalanes, Miramonte, and Campolindo high schools with Ms. Mirabella, Lindi Huntsman, and Janet Haun.

Meeting adjourned at 8:15 p.m.

County Board of Education
October 15, 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 October 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.