

**County Board of Education
Ronald L. Stewart Center
77 Santa Barbara Road, Pleasant Hill, California
November 5, 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:** Karen Sakata, Pamela Comfort, Terry Koehne, Bill Clark, Katie Gaines, Mac Carey, 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** Mr. Asadoorian moved, Ms. Mirabella seconded, and the Board voted 5-0-0 to approve the agenda as amended, item 9.2 pulled by Mr. Asadoorian.
- Ayes: Mirabella, Asadoorian, Gomes, Ruehlig, Deane
Noes: None
Absent: None
Abstain: None
- PUBLIC COMMENT** Walter Ruehlig presented a bouquet of flowers to his wife, Board member Cynthia Ruehlig and commended her for setting the bar high as a board member.
- RECOGNITIONS - none**
- CLOSED SESSION - none**
- PUBLIC HEARING - none**
- ADMINISTRATIVE ITEMS**
- SUPERINTENDENT'S REPORT** Karen Sakata, Deputy Superintendent, reported that Dr. Ovick and she recently attended the California County Superintendent's Association (CCSESA) conference. They also attended the Diablo Valley College Principals and Superintendents Breakfast, the Common Core Summit, and the East Bay Leadership Council - Poverty Awareness Workshop. On behalf of Dr. Ovick and the COE staff she thanked outgoing Board members Richard Asadoorian and Cynthia Ruehlig for their service to the students and educators in Contra Costa County.
- BUSINESS SERVICES**
Consider Petition to Renew the Clayton Valley Charter High School
- Comments from the Petitioners** Dave Linzey, Executive Director, Clayton Valley Charter High School (CVCHS) thanked the County Office of Education (COE) staff for their recommendations to the petition. CVCHS has accepted those recommendations. Neil McChesney, thanked the Board for their ongoing support and the COE staff for their diligent and thorough review of the petition. He stated that the school has met or exceeded the four criteria required for petition renewal. He requested that the Board approve the renewal of CVCHS for a five-year renewal term.
- Public Comment** Kipp Penovich, Clayton Valley Education Association (CVEA), speaking under item #3 Public Comment, said he hopes there will be oversight for upcoming charters and the drive to expand the schools.
- The following spoke in support of renewal of the CVCHS charter petition: Leigh Klock, Kristy Downs, Kevin King, Julie Pierce, Michael Treppa, David Shuey, Marcia Mason, and Megan

Kommer.

Kipp Penovich, CVEA, said he would like clarification regarding the amendment process citing changes which stakeholders were not made aware.

Amber Lineweaver, stated that as a governing board member she is also a petitioner and was unaware of meetings and discussions regarding changes.

Staff presentation of its report on the petition

Bill Clark, Associate Superintendent, Business Services, commended the COE charter oversight committee for their work on the review of the CVCHS renewal petition. He explained the process that was followed by the committee to ensure the petitioners were in compliance with the new Local Control Accountability Plan (LCAP) and Local Control Funding Formula (LCFF). They also identified areas that needed additions or improvements. The charter was asked to continue to expand its oversight of both fiscal and governance by establishing standing committees and also to continue to strengthen their compliance with the Brown Act to ensure there is adequate transparency.

Consider Action to Either Approve Clayton Valley Charter High School Renewal Petition and to Adopt Resolution No. 5-14/15 reflecting approval of the Petition and related factual findings, or to Deny the Petition

Ms. Ruehlig asked if the document was made available to the public. Mr. McChesney shared that the petition with changes has been posted on the CVCHS website. In response to a question from Ms. Ruehlig, Mr. Clark explained that it's not a legal requirement for the County Board to be the appellate body for expulsions. Dr. Comfort explained that the COE is not obligated to take expelled students. The district of residence works with the parents to find an alternate placement. Mr. McChesney said it's included in the petition that the district of residence will be notified of expelled students. Ms. Ruehlig asked if there was a conflict of interest regarding the employment of the spouse of an administrator. Megan Kommer explained that the employee in question was interviewed independently of the administrator. Clarification was made that the spouse of the administrator no longer works at the school. Mr. Asadoorian said CVCHS only needed to meet one of four criteria and they have met all four. He said he believes everything has been validated for approval of this petition.

Ms. Mirabella asked why the changes to the petition weren't presented to the CVCHS governing board. Mr. McChesney said the changes were non-substantive and only clarified information. Ms. Mirabella said she disagrees and believes it should be brought back to the CVCHS governing board so all stakeholders can see it before the County Board sanctions it. She said she believes there should be a Memorandum of Understanding. Also, changing the teacher representatives wording from "shall" to "may" is unacceptable to her. Ms. Mirabella stated that the County Board has been the appellate body for all charters and she would like to see that continue. She shared she had received information that a loan could be taken by CVCHS to fund another charter school. She noted that Dave Linzey's salary was not included in the CVCHS pay schedule. Ms. Deane said she feels the issues brought up have been addressed.

Mr. Asadoorian moved to adopt Resolution #5-14/15 as presented, Ms. Ruehlig seconded. Ms. Mirabella moved to amend the motion by adding the County Board of Education as the appellate body for expulsions. The motion died for lack of a second. The Board voted 5-0-0 to adopt the resolution as presented.

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

Review the Legal Standards for the Establishment of a Countywide Charter Petition which differ from a Regular Charter Petition as Governed Under Education Code 47605

Bill Clark, Associate Superintendent, shared that the Board had requested staff bring forth a summary of the differences between a charter petition that is denied by a district then appealed to the County Board and a countywide charter petition presented directly to the County Board. He explained that countywide petitions have unique characteristics and a higher threshold that needs to be met as far as the justification for that countywide petition. Countywide charters must offer services to a pupil population that would benefit from those services that cannot be served as well by a charter school that operates in only one school district. The County Board may impose any additional requirement beyond those required by the law itself that it considers necessary for a sound operation of a countywide school. The hearing on the countywide charter petition will be scheduled for December 10.

Staff Report

None

EDUCATIONAL SERVICES

Staff Report

Dr. Pamela Comfort, Associate Superintendent, Educational Services, reported that Jannelle Kubinec from West Ed recently made a presentation to all school districts. One of the recommendations was for Local Education Agencies (LEA)s to look at goals in their LCAP for the current year and consider consolidating some of those goals by making them broader. She shared that Dr. Lindy Khan, who leads the COE LCAP development effort, has worked with staff members to consolidate the goals on the COE plan.

Dr. Comfort explained that next year the Williams Report, which is given to the COE Board and district board members, will be replaced by a link on the website so as not to use as much paper. She shared that the reviews, the site visits, and review for sufficient materials are done annually. The team visits sites that are identified by the California Department of Education (CDE) as being required to have a visit. Dr. Comfort thanked Eloise Mendoza-Hines who has taken over the role of coordinating the visits. She further explained that anyone who thinks there is something insufficient at a school site can file a Williams complaint.

HUMAN RESOURCES

Staff Report

Katie Gaines, Assistant Superintendent, Human Resources, reported that Nicholas Berger has been hired to fill the position of Director, Student Programs, Special Education.

COMMUNICATIONS

Staff Report

Terry Koehne, Chief Communications Officer, reported that the Communications Office continues to work with the County Health Services Department in regard to developing and passing along information regarding the Ebola virus and enterovirus. The feedback from districts and superintendents has been positive in helping them to communicate the resources that are available.

TECHNOLOGY SYSTEMS

Staff Report

None

BOARD

Legislative Update

None

PUBLIC COMMENT

None

CONSENT AGENDA

**Consider approval of minutes of
October 15, 2014**

Ms. Mirabella moved, Mr. Asadoorian seconded, and the Board voted 5-0-0 to approve item 9.2 as presented.

Consider Acceptance of Public Gift
*Donation of Use of Diamond Resorts
timeshare (estimated value \$701.50) from
Ms. Francis Diaz for East County LMC
Transition Program.*

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

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

Ayes: Mirabella, Asadoorian, Gomes, Ruehlig, Deane
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

Ms. Ruehlig commented that she has enjoyed working with the Board, Dr. Ovick, and staff while serving on the Board. Mr. Asadoorian reported that he hand delivered a thank you letter acknowledging the actions of the Marchus staff during a recent bomb scare. He recently attended a Liberty Performing Arts fundraiser. Ms. Deane visited the CVCHS Students Travel Fair and toured the CVCHS campus. She spoke at the Moraga Rotary. Ms. Mirabella visited the Community Day Schools, Juvenile Hall, and Byron Boys Ranch. She also visited Caliber Charter with Bill Clark. She presented outgoing Board members Cynthia Ruehlig and Richard Asadoorian with tokens of appreciation. She congratulated Christine Deane on her reelection.

Meeting adjourned at 7:35 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 November 5, 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@cccocoe.k12.ca.us.