

County Board of Education
Ronald L. Stewart Center
77 Santa Barbara Road, Pleasant Hill, California
March 16, 2005

ROLL CALL: Pamela Mirabella, Area 1 Trustee; David Krapf, Area 2 Trustee; Daniel Gomes, Area 3 Trustee; Glenn Ruley, Area 4 Trustee; and Daniel Borsuk, Area 5 Trustee

Absent: None.

Others: Joseph A. Ovick, Ray Penning, Michael Bowers, Peggy Marshburn, Jane Shamieh, Judy Parker, Wendy Richard, and Kerry Kilmer, County Office staff; Students A-3/16/05 and B-3/16/05 and parents; Frank Acojido, Acalanes Union High School District; Edith Jackson, attorney for Student A-3/16/05. A partial list of attendees is on file at the County Office of Education.

Presiding: Daniel Borsuk, Board President

The regular meeting of the County Board of Education was called to order at 6:00 p.m. with the Pledge of Allegiance.

AGENDA REVIEW AND ADOPTION The agenda was adopted as presented (M/S: Gomes/Krapf).

PUBLIC COMMENT None.

CLOSED SESSION

Interdistrict Attendance Transfer Appeal (Student A-3/16/05)

The Board convened in closed hearing at 7:26 p.m. to consider the interdistrict attendance transfer appeal of a parent for her child, Student A-3/16/06, from the John Swett Unified School District to the Acalanes Union High School District. After the parties made their presentations, the Board recessed to closed deliberation at 7:50 p.m. The Board reconvened to closed hearing at 8:16 p.m. and then immediately to open session. Jane Shamieh, Coordinator of Student Programs and Services, announced that the Contra Costa County Board of education voted three to two to deny the interdistrict attendance transfer appeal based upon Board Regulation 5200(D)(3.12) (the student does not reside in the district and the request does not meet the district criteria for approval).

Interdistrict Attendance Transfer Appeal (Student B-3/16/05)

The Board convened in closed hearing at 8:21 p.m. to consider the interdistrict attendance transfer appeal of a parent for her child, Student B-3/16/06, from the Mt. Diablo Unified School District to the Acalanes Union High School District. After the parties made their presentations, the Board recessed to closed deliberation at 8:40 p.m. The Board reconvened to closed hearing at 8:48 p.m. and then immediately to open session. Jane Shamieh, Coordinator of Student Programs and Services, announced that the Contra Costa County Board of Education voted unanimously to deny the interdistrict attendance transfer appeal based on Board Regulation 5200(D)(3.12) (the academic requirement and the request does not meet the district's criteria for approval).

RECOGNITIONS None.

PUBLIC HEARINGS & APPEALS None.

ADMINISTRATIVE ITEMS

SUPERINTENDENT

Report

Dr. Joseph A. Ovick, County Superintendent of Schools, informed Board members that the hydraulic system of the building's elevator has developed a leak and must be replaced; therefore, it may be necessary to hold the next Board meeting at another location, one that is handicapped accessible. He then thanked the Board members who attended the DVC Foundation reception at which he received the President's Circle Award, and he thanked the others for their congratulations. Dr. Ovick then reported the following: he will be offering the welcome at

a First 5 Summit tomorrow in Walnut Creek, which will be a gathering of all interested parties regarding early childhood education/universal preschool; Communications Director Peggy Marshburn, MDUSD Superintendent Gary McHenry, and he will be meeting with the Editorial Board of the *Contra Costa Times* on Friday morning; later in the day on Friday, he will be participating on a panel on healthy living and child obesity hosted by Senator Tom Torlakson; Dr. Susan Magnone and he are moving forward with the strategic planning process for Diablo Valley College; he informed the Board that David Girard has resigned from the governing board of the Contra Costa Community College District; the CCCOE was not awarded the contract to operate the Headstart Preschool Program in Antioch; however, Local 1 contacted the COE to seek permission to petition the Board of Supervisors to encourage them to select the COE as the provider of choice for the Headstart Program; he thanked Local 1 for their support but asked that they not go forward with the petition. Dr. Ovick distributed copies of a letter he wrote to the Board of Supervisors regarding the Headstart matter.

BUSINESS AND ADMINISTRATIVE SERVICES
2004-2005 Second Period Interim Report of the County School Service Fund Budget

Wendy Richard, Manager, Fiscal Services, and Judy Parker, Director, Administrative Business Services, presented the 2004-2005 Second Period Interim Report of the County School Service Fund Budget and reviewed it with the Board. After Mrs. Richard answered Board members questions, the Board unanimously approved the 2004-2005 Second Period Interim Report of the County School Service Fund Budget (M/S: Mirabella/Borsuk). Staff agreed to prepare and send to the Board a brief report on the projected COLA versus actual COLA for the past three years.

Presentation of Fiscal Services Department

Wendy Richard, Manager, Fiscal Services, presented an overview of the Fiscal Services Department. She and Judy Parker, Director, Administrative Business Services, answered Board members' questions.

Staff Report

On behalf of Deputy Superintendent Ellen Elster, Dr. Ovick reported that COE staff requested that County Counsel review the matter involving the territory that is currently in the Knightsen School District and which Oakley Union Elementary School District seeks to have transferred to it. County Counsel provided two versions (Version A and Version B) for the County Committee to consider. Version A would move the process along more quickly, and Version B would allow for a slower, more careful process to be followed. He distributed County Counsel's wording to the Board members and stated that COE staff recommends that the County Committee use Version B. It was the consensus of the Board to move ahead with Version B, the more careful process.

STUDENT PROGRAMS AND SERVICES
Staff Report

Ray Penning, Associate Superintendent, Student Programs and Services, reported on API base scores that appeared in an article in the *San Francisco Chronicle*. He also reported that he is working with the state regarding monies being sought by the County Mental Health Department for reimbursement of Special Education costs, and he gave some background on this matter. Lastly, he stated that he was pleased to give a presentation at the Spring Conference in Monterey, and he received very favorable feedback afterwards, including invitations from board members to present at their county offices of education.

EDUCATIONAL SERVICES
Staff Report

On behalf of Dr. Susan Magnone, Associate Superintendent, Educational Services Division, Dr. Ovick reported that Dr. Magnone is again in Sacramento working with the state on the Williams Settlement, particularly regarding the matter of having Severely Disabled students removed from the testing process. Dr. Ovick also stated that Dr. Magnone and Mr. Bowers have been doing a wonderful job with coordinating the implementation of the Williams Settlement, and he provided an update to the Board on the process.

HUMAN RESOURCES
Staff Report

Michael Bowers, Assistant Superintendent, Human Resources, reported that Barbara Berman, Dr. Susan Magnone, and he will be meeting with the principals of all of the sites identified through the Williams Settlement during the next week in order to review with them the protocol that will be expected when the visitation teams make their visits to these sites. Of utmost importance, he stated, is making sure that when visitations are made, there will be as little interruption to the schools as possible. The goal is to complete the visitations by May 20, 2005. Lastly, he reported that the March 15 notifications for non-reemployment or possible reassignment have been sent to applicable staff, as required by law.

**COMMUNICATIONS
Staff Report**

Peggy Marshburn, Communications Director, gave the following report: Carol Ivy presented yesterday at the Public Information Network meeting on "Hands-on Dealing with the Media"; there were 35 attendees, which was an appropriate number of people since it was a hands-on type of presentation; all of the surveys submitted by attendees were very positive; the next Public Information Network meeting is scheduled to take place on May 16 and will deal with handling stress on the job; in September, a media round table featuring print, radio, and television reporters has been scheduled and will address how to handle emergency crisis communication with the media; on March 21, the 32nd District PTA will have its general meeting, and the speaker for the evening will be Legislative Advocate Susan Stuart, who will speak about what is going on in Sacramento with education and the budget; she invited Board members to attend; last Thursday, she attended the East Bay Funders Fair because she does some resource development for various COE programs, and she felt that it would be good to stay in touch with foundations and corporations that are funding programs in the East Bay.

**BOARD
Legislative Update**

Mr. Ruley distributed a legislative bill summary from CCBE, and he encouraged Board members to keep an eye on the McClintock bill, one of the Senate bills, because it will not be good for education. He also noted that CCBE, through CSBA, is asking the various boards to do a resolution to protect Proposition 98. The Board president stated that the resolution could be placed on the next agenda, and he agreed with Dr. Ovick that it should be a joint resolution.

**CONSENT ACTIONS
Minutes of 3/2/05; Budget Augmentation; Temp. County Certificates; Contra Costa County High School Diploma; and Public Gifts**

The Board voted to accept/grant/approve the following Consent Actions: the 3/2/05 Board minute; a budget augmentation in the amount of \$500,000 received from ChevronTexaco for the Regional Occupation Program (ROP); applications for Temporary County Certificates; a Contra Costa County High School Diploma to high school student MM 1-3/16/05; and the following public gifts that have been donated to the contra Costa County Office of Education: \$25 from Inform Public Relations for Chris Adams Girls' Center for the prom "Rite of Passage" and \$148.25 from Washington Mutual Bank to Mt. McKinley School (M/S: Ruley/Krapf).

**CORRESPONDENCE/
EVENTS CALENDAR**

Correspondence: Undated letter from the League of Woman Voters of Diablo Valley to the Board seeking donations.
Calendar of Events: March 25 – Awards Ceremony, Mt. McKinley School; April 4 – CCBE Legislative Conference, Sacramento.

**BOARD REPORTS OF
ACTIVITIES**

No written reports of activities were submitted by Board members. Dr. Krapf reported that he contacted Nicki Swenson to begin visitations to Special Education programs operated by the CCCOE; yesterday he toured Marchus School, which was an enjoyable experience; he also had opportunity to be interviewed on Channel 7, and his affiliation with the Board was mentioned. Mr. Ruley reported that he attended the DVC Foundation's presentation to Dr. Ovick of the President Circle's Award, and he noted that State Superintendent Jack O'Connell attended to acknowledge Dr. Ovick's work; he also attended the conference in Monterey and found it interesting because the speakers at both luncheons spoke very directly to the issues; he was surprised and dismayed to learn that, by simply reinstating the license fee, the budget would be balanced; there will be a CCBE dues increase as a result of the media action that organization had to take to offset the publicity of eliminating county offices of education; he expects the increase to be approximately \$234 for the CCCOE.; lastly, he has been appointed Chair of the CCBE Policy Committee. Mr. Borsuk reported that he also attended the DVC Foundation event and noted that Dr. Ovick's award was well deserved; he also attended the conference in Monterey, and he informed the Board that the conference will move to Sacramento next year; he described a number of workshops he attended at the conference, including the excellent expulsion workshop presented by Mr. Penning; he offered to share the materials he brought back from the conference. Mr. Gomes reported that he also attended the DVC Foundation event.

ADJOURNMENT

There being no further business, the Board President adjourned the meeting at 8:49 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 March 16, 2005, and are subject to amendment and/or correction prior to the approval of the County Board of Education.