

County Board of Education
Ronald L. Stewart Center
77 Santa Barbara Road, Pleasant Hill, California
March 22, 2006

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.

Absent: None.

Others: Joseph Ovick, Ellen Elster, Ray Penning, Susan Magnone, Michael Bowers, Peggy Marshburn, Bianca Bloom, Judy Parker, Wendy Richard, John Hild, Mac Carey, Rebecca Corrigan, Patty Castro, Jane Shamieh, Brenda Sharp, John Lambert, Gail Schroeder, Jean Wells, Cathy Cross, Kelly Laidley, Cecile McNulty, Susan Hellrung, Laura Griffin, Annette Apodaca, Peter Pato, Sean Dagnau, Diane Schleusner, Georgia Williams, Laura Dorsey Huerta, County Office staff; Carol Keck, Student A-3/22/06 and parent; Richard Schafer, Superintendent, Moraga School District, High School Student EG2-3/22/06 (and family and friends). A partial list of attendees is on file at the County Office of Education.

Presiding: Pamela Mirabella, Board President

The regular meeting of the County Board of Education was called to order at 6:01 p.m. with the recitation of the Pledge of Allegiance.

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

PUBLIC COMMENT None.

CLOSED SESSION
Interdistrict Attendance Transfer Appeal (Student A-3/22/06) The Board convened in closed hearing at 7:47 p.m. to consider the interdistrict attendance transfer appeal of a parent for a child, Student A-3/22/06, from the Canyon School District to the Moraga School District. After the parties made their presentations, the Board recessed to closed deliberation at 8:13 p.m. The Board reconvened to closed hearing at 8:27 p.m. and then immediately to open session. On behalf of the Board, Hearing Facilitator Jane Shamieh announced that the Contra Costa County Board of Education voted 4-1 to deny the interdistrict attendance transfer appeal based upon CCCOE Board Policy 5200(D) 3.2) (the attendance of the student from out of the district would increase the district's maximum class size).

RECOGNITIONS
Contra Costa County High School Diploma The Board voted unanimously to grant a Contra Costa County High School Diploma to high school student EG2-3/22/06 (M/S: Borsuk/Gomes). Principal Rebecca Corrigan read a letter from the graduate's instructor, Lou Guida, praising his positive attitude and academic successes. Dr. Ovick, County Superintendent of Schools, and Board President Pamela Mirabella then presented the graduate with his diploma and offered their congratulations.

County Office of Education Employee Recognition Ellen Elster introduced Diane Schleusner, Mail Services Clerk in the General Services Department, and provided some background on Ms. Schleusner's 40 years of service to the Contra Costa County Office of Education (CCCOE). Mrs. Elster informed the Board that Ms. Schleusner is, in fact, the senior member at the CCCOE who will complete 41 years of service in May 2006, and she presented a binder of historical information and photos prepared by staffers Kerry Kilmer and Michelle Olinick, with assistance from Ms. Schleusner. Dr. Joseph Ovick, County Superintendent of Schools, lauded Ms. Schleusner's performance over the years and noted that she was a true inspiration to everyone working at the CCCOE. He then presented her, on behalf of the Superintendent's Office, with a vase of roses. Board President Pamela Mirabella presented Ms. Schleusner with a gift from the Board and CCCOE. Susan Hellrung then presented her with a decorative plant on behalf of the Educational Services Department in appreciation for her work. Lastly, Georgia Williams, Administrative Assistant in the Special Education – Student Services East Department, related a heartwarming personal story about Ms. Schleusner that exemplified her thoughtful nature. After additional staff members lauded Ms. Schleusner's service to the agency, Ms. Schleusner thanked everyone for honoring her.

New Employee Introduction

Deputy Superintendent Ellen Elster introduced John Hild, the recently appointed Director of Facilities Services.

PUBLIC HEARINGS & APPEALS

None.

ADMINISTRATIVE ITEMS

SUPERINTENDENT

Report

Dr. Joseph A. Ovick, County Superintendent of Schools, thanked those Board members who had been able to attend the ACSA Award Dinner last week and then reported the following: at the CCSESA meeting on Monday, his group had an opportunity to meet with Alan Bersin, California Secretary of Education; he informed the Board that integrating the API and AYP is now referred to as "harmonizing"; Rob Reiner also joined the superintendents for about 40 minutes to talk to the group about Preschool for All and the initiative, and he offered to share a nonpartisan summary of the proposition; he sent a letter to the Legislature in support of continued funding for the High-Speed Network, which is the infrastructure for all public schools in California to allow them on-line capability; he noted that 39 county superintendents will be running unopposed on the June ballot; five will have opponents, and ten will be retiring; he reported that he would be part of a panel tomorrow in San Francisco at a conference for private preschool providers on the topic of Preschool for All; he distributed the Stanford University summary of the research project that is going on in the state right now that will look at a major overall of public education; he also distributed copies of an initiative sponsored by Ed Voice to place a \$50 parcel tax on every piece of property that is owned by either business or individuals, which would raise about \$500 million for public education; and he distributed a sample resolution on Proposition 82, The Preschool for All Act, in case the Board would like to consider taking a position by way of adopting a resolution. Mr. Gomes asked Dr. Ovick if the CCCOE has made any contingency plans for its students and employees regarding the bird flu, and Dr. Ovick responded that, at the end of the month, the COE plans to distribute a packet of information that will go to every superintendent in the county; also, he noted that the superintendents have been working very closely with the County Department of Health on this matter. Mr. Gomes also expressed some concern about the CCCOE's security process for visitors, and Dr. Ovick agreed to look into the matter. Board President Mirabella then took this opportunity to congratulate Dr. Ovick on his unopposed run for reelection.

BUSINESS AND ADMINISTRATIVE SERVICES

**County School Service Fund (CSSF)
Investment Activities**

Wendy Richard, Director, Administrative Business Services, gave an update on the County School Service Fund (CSSF) Investment Activities for the quarter ending December 31, 2005, and answered Board members' questions. Mrs. Mirabella thanked Mrs. Richard for her report.

**2005-2006 Second Period Interim
Report of the County School Service
Fund Budget**

Wendy Richard, Director, Administrative Business Services, presented the 2005-2006 Second Period Interim Report of the County School Service Fund Budget and answered Board members' questions. The Board then voted unanimously to approve the 2005-2006 Second Period Interim Report of the County School Service Fund Budget (M/S: Borsuk/Krapf). Mrs. Mirabella inquired about the results of the reclassification study, and Associate Superintendent Michael Bowers agreed to provide copies to the Board.

Staff Report

Deputy Superintendent Ellen Elster reported that she has received a charter petition for the County Board of Education to review. She explained that the petition was received from a group that already runs on-line Advanced Placement classes in San Diego County. She noted that staff would be evaluating the charter petition to provide an analysis to the Board.

STUDENT PROGRAMS AND SERVICES

**Quarterly Data Report of Complaints
Filed as Mandated by the Williams
Lawsuit Settlement**

Ray Penning, Associate Superintendent, Student Programs and Services, reported that there were no complaints filed for the second, third, and fourth quarters of 2005.

Staff Report

Ray Penning, Associate Superintendent, Student Programs and Services, reported that the Board will hear an expulsion appeal at the next Board meeting. Mrs. Mirabella mentioned that she might need to leave early from the April 5 Board in order to drive to the airport. After a brief discussion, staff offered to place only time-sensitive items on the next agenda, which might allow the appeal to be heard earlier in the evening; thus, the meeting might end earlier than usual.

EDUCATIONAL SERVICES

Staff Report

Dr. Susan Magnone, Associate Superintendent, Educational Services, distributed copies of a sample resolution on “supporting the civic mission of schools” and offered to place the resolution on a future Board agenda for consideration. She explained that part of the history/ social science curriculum in California serves to support the civic mission of schools and to integrate that into the curriculum. The Three Rs (“Rights, Responsibility, and Respect”) Project Advisory Board has been trying to highlight the concept of civic mission; in other words, highlighting the responsibilities of citizens in a democracy. Therefore, it is asking school districts and county offices of education to consider adopting a resolution supporting this concept if they are interested in doing so. She read several parts of the sample resolution to exemplify the gist of the resolution. After a discussion, it was the consensus of the Board to bring this resolution before the Board for consideration at a future Board meeting.

HUMAN RESOURCES

2006-2007 Staff Calendars

Michael Bowers, Associate Superintendent, Human Resources, presented the proposed 2006-2007 CCCOE staff calendars for Management/Confidential and Professional/Administrative, Certificated, and Classified employees.

Staff Report

Michael Bowers, Associate Superintendent, Human Resources, called the Board members’ attention to the Conflict of Interest forms he had distributed earlier and asked them to complete and return to the Human Resources Department no later than March 31, 2006. He also noted that he had distributed Informational Worksheets for the Board members to complete and return to him if any personal information has changed in order to update the records that are kept on file.

COMMUNICATIONS

Staff Report

Chief Communications Officer Peggy Marshburn distributed copies of the new CCCOE brochure, and she offered to provide extra copies upon request. She also informed the Board that the COE picnic will take place on May 23 at Pleasant Hill Park from 4:00 to 6:00 p.m.; the Teacher of the Year Reception is scheduled to take place in the afternoon on May 15 in the Board Room, and a Public Information Network meeting has been scheduled for April 26, 10:30 a.m. to noon, on the topic of “Beyond the Media” (a continuation of the discussion on emergency and crisis communications). She noted that she would have staff send a flyer for the Public Information Network meeting to Board members. Mrs. Mirabella reminded Board members that they usually donate \$25 for the COE picnic.

BOARD

Legislative Update

None.

Policy and Regulation 6171

Prior to discussion on this matter, Mr. Gomes asked the Board to consider appointing him to join Glenn Ruley and Ellen Elster as part of the Board Policy Committee so that the committee could now be comprised of two Board members and one staff member. Dr. Ovick noted that the matter was not listed on this evening’s agenda, and, therefore, the matter could not be brought to a vote. Mr. Gomes conceded the point and requested that this matter be placed on the agenda to be considered at the next Board meeting. He then stated that he found certain language in Policy 6171 to be objectionable; namely, a section that he believes refers to certain groups of people as having barriers to greater participation based on certain descriptions (e.g., “people who are of any racial or ethnic minority background”). He contended that the wording appeared to imply that all people of any racial or ethnic minority background are economically disadvantaged, which he felt was a very negative way to define a group of people. He expanded on objections he had with how he perceived that other groups were negatively identified in this section, as well. He asked the Board to consider the following substituted wording: “...who are otherwise marginalized” or “...who are members of any historically underserved population.” Mrs. Mirabella noted that perhaps this Board meeting was not the best forum for suggesting such changes, since they are required by code; instead, she suggested that Mr. Gomes approach his legislators to make an amendment through the legislative process. Mrs. Elster emphasized that the Board’s policy and regulation must follow the wording as set forth in the United States Code, since it involves a Title I program that receives Title I funds. Dr. Ovick clarified that a change in wording would result in the loss of all federal dollars, such as Special Education dollars. Mr. Gomes responded that, based on these considerations, he agreed to withdraw his objection, but he stated that he planned to abstain during the vote. The Board then voted to adopt/approve Policy and Regulation 6171: Instruction – Title I Programs (M/S: Ruley/Borsuk; Gomes abstained).

CONSENT ACTIONS

**Minutes of February 15, 2006;
Contra Costa County High School
Diplomas; Contra Costa Adult
School Diploma; Temporary County
Certificates, and Public Gifts**

It was the consensus of the Board to allow a question posed by Mr. Gomes with regard to Item. 8.6 (Temporary County Certificates). Mr. Gomes asked Associate Director Michael Bowers to describe the purpose of Temporary County Certificates, and Mr. Bowers explained that they are used during a period between the time that a credential is applied for and when it is actually received from the California Commission on Teacher Credentialing (a four-to-six-month period). The Board then voted unanimously to approve/accept/grant the following Consent Actions: minutes of February 15, 2006; granting of Contra Costa County High School Diplomas to high school students EG1-3/01/06, MM1-3/1/06, and GG1-3/22/06; a Contra Costa Adult School Diploma to Samuel A. Santiago; applications for Temporary County Certificates; and acceptance of the following public gift that was donated to the Contra Costa County Office of Education: \$205.20 from Washington Mutual Bank for the Mt. McKinley School (M/S: Borsuk/Ruley).

**CORRESPONDENCE/
EVENTS CALENDAR**

Correspondence: Letters to the Board dated February 28, 2006, from East Bay Municipal Utility District inviting them to an informal briefing on March 23, 2006, with regard to that agency's initiatives; a resolution supporting financial support of AC Transit for the equitable benefit of its passengers by the Metropolitan Transportation Commission, which had been adopted by the Richmond City Council on February 7, 2006, and sent to the Board by the Richmond City Clerk's Office on March 16, 2006.

Calendar of Events: April 4 – Awards Ceremony, Mt. McKinley School; April 26 – Public Information network meeting, “Beyond the Media,” 10:30 a.m. to noon, CCCOE Board Room; May 10 - ROP Spring Awards Celebration, 3:30-5:00 p.m., Pleasant Hill Community Center; May 15 – Teacher of the Year Reception, CCCOE Board Room; May 23 – CCCOE picnic, 4:00-6:00 p.m.; June 23 – Awards Ceremony, Mt. McKinley School.

**BOARD REPORTS OF
ACTIVITIES**

No written reports of activities were submitted by Board members. Mr. Borsuk reported that he attended the ACSA dinner last week and the CCBE Annual Spring Conference in Sacramento; he noted that he had found it to be informative, but he was a little disappointed with the Opening General Session; however, he enjoyed a number of the workshops. Mr. Gomes reported that he attended an all-day meeting recently on a Saturday sponsored by the League of United Latin-American Citizens, which he found to be very well organized, informative, and well attended. Mr. Krapf reported that he attended a meeting of the Education Task Force and hoped to attend that group's meetings regularly in the future. Mr. Ruley reported that he attended the ACSA dinner last week and expressed kudos to Dr. Ovick for receiving the Outstanding Administrator Award. He also reported that he attended the CCBE Annual Spring Conference and a number of the workshops offered at the event; he mentioned that, as a result of a workshop on how to implement a PTA for court schools, he and his wife are considering starting up the local court schools PTA again; he informed the other Board members that, as their representative for Contra Costa and Alameda Counties, he would be e-mailing them reports about the board and general meetings for CCBE; lastly, he noted that an article that Dr. Ovick wrote for the Contra Coaster, a PTA newsletter, documented information that he had provided to Dr. Ovick regarding hunger issues and school

lunches and breakfasts and that he appreciated that every PTA member in Contra Costa County has now been informed on these matters. Mrs. Mirabella reported that she, too, attended the ACSA dinner at which Dr. Ovick was honored, and she expressed pleasure at the recognition also given to two COE students at the event and how well they spoke. She also mentioned an e-mail she had received from a constituent regarding the problems she has experienced in her attempts to speak at West Contra Costa Unified School Board meetings on consent items, and she planned to call the person to explain how the CCCOE Board handles such matters. Lastly, she reported on a meeting she had with Dr. Ovick, Mrs. Elster, Mr. Penning, and Deputy County Counsel Mary Ann Mason. The purpose of the meeting was to address her role or responsibility as the chair with regard to facilitating appeal hearings if conflicts arise. She reported that she is suggesting that, in such circumstances, she would call a recess in order to meet with the trustee involved with the conflict and that either Mr. Penning or Ms. Shamieh and the Board's legal counsel would also attend that meeting. During that meeting, she would seek direction to resolve any disagreement or conflict so that no legal actions would be taken against the Board, individual Board members, or the agency. A second issue that had she raised with staff during the meeting was direction on how she might proceed to lobby for the West Contra Costa community members to support and assist in finding an alternative education site to house three community day classes that have been eliminated over the past couple of years. Dr. Ovick had suggested to her that the Board could consider adopting a resolution in May, the purpose of which would be to direct Mrs. Mirabella to attend public meetings and visit with city council members or County supervisors in order to speak on behalf of the County Board of Education on this matter. She thanked staff for listening to her concerns. Mr. Gomes inquired whether her first concern would be brought up before the Board for discussion with the legal counsel present at some later date. Mrs. Mirabella suggested that perhaps Deputy County Counsel Mary Ann Mason could meet with the Board to discuss this issue. Mr. Borsuk interjected with his concerns that he felt it might be more appropriate to discuss these concerns in a Closed Session. Dr. Ovick stated that he would confer with Mrs. Mason to determine whether this is a Closed Session matter or whether a workshop would be a better forum.

RECESS

The Board recessed from 7:39 p.m. to 7:47 p.m. prior to hearing the appeal in Closed Session.

ADJOURNMENT

There being no further business, the Board adjourned the meeting at 8:29 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 March 22, 2006, and are subject to amendment and/or correction prior to the approval of the County Board of Education.