

County Board of Education
Ronald L. Stewart Center
77 Santa Barbara Road, Pleasant Hill, California
February 7, 2007

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

Absent: Daniel Borsuk, Area 5 (It was the consensus of the Board that this absence be deemed "excused," as Mr. Borsuk was unable to attend due to transportation problems.)

Others: Joseph A. Ovick, Ray Penning, Susan Magnone, Peggy Marshburn, Bianca Bloom, Lynn Mackey, Lindy Khan, Lindy Huntsman, Kerry Kilmer, Terry Foley, County Office staff; Jerry Okendo, LULAC; Student MM 1-2/7/07, and adult high school graduate Darryl Allen (and family and friends of the graduates). A partial list of attendees is on file at the County Office of Education.

Presiding: David Krapf, Board President

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

AGENDA REVIEW AND ADOPTION The agenda was adopted as presented (M/S: Mirabella/Gomes; Borsuk absent).

PUBLIC COMMENT Jerry Okendo, representing the League of United Latino American Citizens (LULAC) addressed the Board regarding a student disciplinary action. Mr. Okendo explained that the student was expelled from O'Hara Middle School in the Oakley School District and when they requested a hearing, the information was sent in English. Because they are a Spanish speaking family, the forms were incomplete and the deadline to file was missed. Mr. Okendo stated that state statistics indicate that the suspension and expulsion rate has increased from four per thousand in 2003/2004 to seventeen per thousand in 2005/2006. He also stated that the population is 20.6% Spanish and under due process, the paperwork should be in Spanish. The only paperwork that the family received in Spanish was the Board's recommendation that the student be expelled. Mr. Okendo also explained that the parents requested an interpreter and none was provided. In another instance, a student was expelled, could not get back in school, was not allowed a hearing and just dropped out. Mr. Okendo then requested that this family be given the opportunity to come before the Board at another time and speak to their case. He then thanked the Board for the opportunity to speak before the Board this evening.

CLOSED SESSION None.

RECOGNITIONS
Granting of Contra Costa County High School Diploma The Board voted unanimously to grant a Contra Costa County High School Diploma to high school student MM 1-2/7/07 and to adult high school student Darryl Allen (M/S: Ruley/Mirabella; Borsuk absent). Principal Lynn Mackey introduced high school student MM 1-2/7/07 and gave some background on the graduate's educational accomplishments. Principal Lindy Khan introduced adult high school student Darryl Allen and read a letter from his teacher describing his educational skills and attainments. Dr. Joseph Ovick, County Superintendent of Schools, and Board President David Krapf then presented the graduates with their diplomas and offered their congratulations.

PUBLIC HEARINGS & APPEALS None.

ADMINISTRATIVE ITEMS

**SUPERINTENDENT
Report**

Dr. Joseph Ovick, County Superintendent of Schools, gave the following report: he thanked Mr. Gomes, Dr. Krapf and Mrs. Mirabella for attending the Leadership Council meeting this morning, which included guest panelists who answered questions focusing on COEs future role; he reported that Catherine Giacalone received a call from the Head Start facility in Antioch and this facility may be available to us; Dr. Magnone will contact Joe Valentine, Head Start Director, to find out more about this proposal and why it is available; the First Baptist Church of Antioch and the YMCA have also been contacted; he then told the Board he would keep them informed of any developments; he also reported that he has completed visits to all the court and community schools in Contra Costa County after visiting classes in Pittsburg and Brentwood this week; he enjoyed the visits with students and staff as well as the observations of the students and the work they are doing; he reported that the program improvement districts have been identified and he and Dr. Magnone have met with the superintendent and key staff on the instructional side from West Contra Costa, John Swett, and Pittsburg Unified School Districts and Byron School District; he and Dr. Magnone will meet soon with the Antioch Unified School District which will then complete the visits; he stated that the law requires program improvement districts to notify the county superintendent of schools of what they are doing to focus on student achievement and rather than waiting for the districts to contact COE, he and Dr. Magnone took the initiative and set up the visits; he then reported that he was a presenter at the Leadership Contra Costa along with adults and students from Mt. Diablo, Martinez and San Ramon Valley Unified School Districts; before their presentations, the adults had to go out and visit schools and had specific assignments; he then stated that Mrs. Marshburn planned the educational component of this nine-month program that covers various areas to assist business leaders in becoming involved in civic activities; he and Reed McLaughlin, Superintendent from Pittsburg Unified School District, and Susan Stuart met with staff from Tom Torlakson's office, Mark DeSaulnier, Loni Hancock and Guy Houston's staff, in Sacramento regarding the authoring of two bills that will speak to the facilities issues for San Ramon Valley and Pittsburg Unified; Pittsburg may need help from area legislators to deal with the middle school situation of the lines running under the campus; he then distributed copies of CCSESA's current list of bills, including AB 25, the Spot Bill, that addresses the adequacy research projects where the state has asked several universities to research the adequacy of public education in California, and those reports will be available in March; under AB 73, Dymally is presenting legislation that will change funding from an ADA basis to an actual enrollment basis; and AB 96, authored by Feuer, who was one of the lead attorneys in the Williams Case and is now a member of the Assembly, is focusing on leadership training for school principals; he also distributed copies of the Legislative Priorities for CCSESA, and CCBE was to coordinate a meeting with Dr. Fisher, Chair of the CCSESA Legislative Committee; he also reported that last week he and several superintendents from Contra Costa met with the Provost from Cal State East Bay and department chairs from their education department looking at the need in Contra Costa County to have more of the courses offered in East County rather than in Hayward; and lastly, he met with a group of Cub Scouts in Concord who needed to meet with an elected official to fulfill their achievement requirement for community service.

**BUSINESS AND ADMINISTRATIVE
SERVICES**

Board Resolution No. 7-06/07

Dr. Joseph Ovick, County Superintendent of Schools, introduced this Board resolution and answered questions. Mr. Gomes asked who was signing these checks before this came along. Dr. Ovick responded that he and Mrs. Elster have been signing the checks and there now has come a need to add Cabinet members to the list as there have been times when he and Mrs. Elster have not been available to sign checks. Mr. Gomes then asked if insurance was provided for staff signing checks. Dr. Ovick responded that he is the only individual required by law to be bonded. Mr. Gomes suggested that notification of all contracts and competitive bidding be given to the Board. Dr. Ovick responded that he, as an elected official, has oversight responsibility. He added that currently, staff is obligated to inform Board of contracts exceeding \$25,000.00 for personal service contracts and that is done at interim period reporting. Mr. Gomes stated that he understood but felt that the Board should be aware of how and why the money is being spent. Mr. Gomes then asked the Board if they would entertain requesting staff to provide more information about the personal service contracts and bidding process. Mrs. Mirabella responded that she would need to think about the suggestion regarding service contracts, and then responded that as a Board member her role does not include the bidding process; that is Dr. Ovick's responsibility. Mr. Ruley said he felt very comfortable about the current process. Dr. Krapf also said he was comfortable about the current process. Dr. Ovick then responded that he thought the COE and the Board worked well together. The Board then voted by the following roll call vote to adopt Board Resolution No. 7-06/07 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: Krapf, aye, Gomes, aye; Ruley, aye; and Mirabella, aye (M/S: Mirabella/Ruley; Borsuk absent).

Board Resolution No. 8-06/07

Dr. Joseph Ovick, Superintendent of Schools, introduced this Board resolution. He explained that in the past COE has used Bank of America and after contacting various banking institutions, it was determined that US Bank would recognize COE as a governmental agency and grant COE an interest-bearing account that would primarily be used for conference and travel reimbursement. US Bank would provide online banking and there would be a banking representative in Walnut Creek available to COE. Mr. Gomes stated that he has a concern with the last paragraph of the resolution authorizing the bank to honor and pay all checks so signed, including those drawn to the order of any officer or other person authorized to so sign them. Mr. Gomes then asked if that paragraph meant that a person could be the payee and authorized signature. Dr. Ovick responded yes, that could be done; however that individual would then be prosecuted. Mr. Gomes then stated that because of that statement, he could not support this resolution. Mrs. Mirabella stated that she would prefer two signatures on the checks. Dr. Krapf then stated the same complications would arise as Dr. Ovick described earlier if two signatures were required. The Board then voted by roll call vote to adopt Board Resolution No. 8-06/07 in the matter of opening a checking account with US Bank for the purpose of a revolving fund for the County Superintendent of Schools: Krapf, aye; Gomes, no; Ruley, aye; Mirabella, aye (M/S: Ruley/Mirabella; Borsuk absent).

Staff Report

Dr. Joseph Ovick, Superintendent of Schools reported that Deputy Superintendent Ellen Elster is on a well-deserved vacation.

**STUDENT PROGRAMS AND
SERVICES**

ROP Curricula for Student Programs

Ray Penning, Associate Superintendent, Student Programs and Services, introduced this item and explained that periodically ROP curricula are revised and new curricula are developed. This curricula has been approved by the state and Dr. Magnone has reviewed this curricula. Mr. Penning then introduced Lindi Huntsman, Principal, who then answered questions from the Board. Mr. Gomes asked about the Phlebotomy Technician curricula. Ms. Huntsman responded that this class is in partnership with Kaiser Permanente and will be held in East County. Students must be 18 years old and have a high school diploma. Mr. Gomes then asked if students could take these classes and find employment. Ms. Huntsman answered that all these classes are high school classes except for the Phlebotomy Technician class. Mr. Gomes then asked how classes are decided in this program. Ms. Huntsman responded that industry in Contra Costa County is a factor in determining what classes are offered. She also added that some of these classes are getting ready to go to the UC for approval. Community Service Production has been approved and will be offered at the Berkeley High School. Mr. Penning also noted that the courses added in West Contra with Tech Futures must be approved at the state and by this Board. Dr. Krapf asked what schools are offering the ROP curricula. Ms. Huntsman responded that Database and Design and Management will be offered at El Cerrito, Developmental Psychology will be offered at Deer Valley and Monte Vista, Digital Photography and Advanced Digital Photography will be offered at Campolindo and San Ramon, Video Broadcasting is being offered at Albany and Heritage, Community Service is being offered at Berkeley, and the Computer Programming-Computer Science AP is being offered at Alhambra, Deer Valley and Northgate. The Board then voted to approve the ROP Curricula for Student Programs (M/S: Ruley/Krapf; Borsuk absent).

**2006-2007 Consolidated Application,
Part II**

Ray Penning, Associate Superintendent, Student Programs and Services, introduced the 2006-2007 Consolidated Application, Part II, and explained that this is funding for economically disadvantaged students in the COE operated programs. The funding is based on Free and Reduced Lunch percentages. The Board then voted to approve the 2006-2007 Consolidated Application, Part II (M/S: Mirabella/Krapf; Borsuk absent).

Staff Report

Ray Penning, Associate Superintendent, Student Programs and Services, reported on the following: the interdistrict appeal hearing scheduled for this evening's meeting was canceled as well as the hearings scheduled for the February 14 special meeting; he then thanked the Board for their flexibility in scheduling these hearings; he also stated that he spoke to Mr. Okendo who thought there was an expulsion hearing tonight for the family and was unable to determine who gave that information; there was never any documents filed requesting a hearing; he then stated he would work with the school district regarding Mr. Okendo's issues. Dr. Ovick then stated that he briefly spoke to Mr. Okendo and the partial paperwork may have been submitted to the school district. Mr. Penning also stated that Dr. Bloom developed a timeline to assist in determining what happened in the application process; there are records of the telephone conversations, the paperwork that was mailed, but no record of the paperwork being returned. Mr. Gomes suggested that perhaps the COE provide some instruction for the LULAC regarding expulsions and interdistrict transfers. Mr. Penning stated that was a good suggestion and will speak to Mr. Okendo. Mr. Ruley also noted that COE has offered trainings to school districts regarding the processes and some districts have declined the offer; and lastly, Mr. Penning reported that West Contra Costa Unified School District was the only district that did not meet their ADA for the first semester ROP programs; this becomes a challenge as the ROP program cannot continue to operate classes and lose money; he also reported that a second community school class in the district will be opening soon.

EDUCATIONAL SERVICES

Staff Report

Dr. Susan Magnone, Associate Superintendent, Educational Services, reported that: the February/March Events Calendar for Educational Services she distributed lists the big events and noted two of them on the calendar; on Friday, February 2, a Health Career Fair was held at the San Ramon Marriott; Louise Barbee facilitated this event in partnership with community colleges, businesses and school districts with over 400 high school students attending from various high schools including Kennedy High School, Richmond High School, Pinole High School, Liberty High School and Freedom High School; the other event is Curriculum Council on February 9 with the topic "Response to Intervention" which is a process of working with students in the classroom to identify their learning needs and giving them what they need without labeling them Special Ed; the event will be held at the Pleasant Hill Recreation Center as the response for attending this training has been overwhelming with 90 registered.

HUMAN RESOURCES

Staff Report

Michael Bowers, Associate Superintendent, Human Resources, reported the following: the Local One negotiations process is at impasse which will begin with mediation; a mediator will be appointed within two to three weeks and that process will begin; it is hopeful that will bring to closure the Local One contract meetings. Mr. Gomes asked what happens if mediation fails. Mr. Bowers responded that the next step would be fact finding, and in that process, a panel of three people review the facts presented by the County Office and by Local One and determine from the facts the appropriate settlement; then that information is presented to Dr. Ovick to make his decision; the fact finding panel is comprised of a representative from COE management, a representative from Local One and a neutral representative. Mr. Ruley asked what is the sticking point. Mr. Bowers answered that the offer on the table is 3% on the salary schedule retroactive to July 1, 2006, an additional 1.44% added to medical benefit costs, and a .2% stipend for instructional assistants who provide specific medical care to students; Local One is negotiating for a similar settlement that CTA received which is funded through programs like Special Education and ROP; those programs have funding that would support a higher raise; more than half of Local One employees are funded through Other Purpose dollars which are much lower than the program dollars; unfortunately, it limits what COE can offer. Mr. Ruley then asked what the settlement was for CTA. Mr. Bowers responded that CTA settled at 5.0% on the salary schedule and 1.03% for medical benefit costs, and the benefit costs are lower because of the fewer number of teachers; so it is 6.03% compared to 4.64%. Mr. Bowers also noted that the last three-year average indicates that the Local One unit is about 1.5 to 2.0% higher overall. He also stated that last year additional dollars were needed to implement and support the classification study. Mr. Gomes then asked if Mr. Bowers was on the negotiating team. Mr. Bowers responded that he is a member of the negotiating team, along with Mrs. Elster, Mr. Penning, Peter Simack, and Abe Doctolero. Mrs. Mirabella added that a few years ago Interest Based Bargaining (IBB) was introduced and that has certainly made a difference in the negotiating process. Mr. Bowers also noted that IBB has worked very well with CTA negotiations and is improving with Local One negotiations; he reported that the Annual Job Fair will be held at Alhambra High School on February 24 and that districts are in need of teachers in every credentialed area with an emphasis in Special Education Math and Sciences; he reported that Jean Wells and Mario Eguizabal from Human Resources along with Principal Diane Misasi conducted a two-hour workshop on Communication for all the classified staff at Liberty Unified High School District which was well received; and lastly, Sexual Harassment Trainings will again be provided for all administrators in Contra Costa County.

**COMMUNICATIONS
Staff Report**

Chief Communications Officer Peggy Marshburn gave the following report: upcoming Public Information Network meetings include April 9, Media Spokesperson Training with Norm Hartman, which the state will be paying for, and April 25, a Joint Information Center Table Talk focusing on emergency and risk communication; she also reported that there has been an outbreak of whooping cough or pertussis and she is working with county health to get up-to-date information to all school districts; outbreaks have been reported in Richmond and Martinez; she also noted that although children are vaccinated at an early age for diphtheria, pertussis and tetanus, the immunization starts to fade at age 11 or 12 so she will be working to distribute information to the districts regarding booster vaccinations for students in that age group; she also reported that the Pandemic Flu packets and childcare kits are being assembled and will be distributed to approximately 1,500 childcare providers and daycare centers through the Local Planning Council and the Child Care Council; she reported that the Academic Decathlon Super Quiz with Mrs. Elster as Quiz Master was held last weekend and received some very good media coverage in the Contra Costa Times; she reported that the Health & Bioscience Fair held last weekend received extensive media coverage which included live radio interviews with KGO; and lastly, Glen Barker, who teaches horse medicine at Northgate High, is having one of his former students from 18 years ago speak to his class and who is now an orthopedic surgeon in Denver.

**BOARD
Legislative Update**

Mr. Ruley commented on the document Dr. Ovick sent out this morning from Jack O'Connell regarding President Bush's federal funding. Dr. Ovick stated that with a new majority in Congress, it will be interesting to see what happens.

**CONSENT ACTIONS
Contra Costa County High School
Diplomas; and Public Gifts**

The Board voted to grant/accept the following Consent Actions: a Contra Costa County High School Diploma to high school student MM 2-2/7/07 and to adult high school student John Greer, and the following gifts that have been donated to the Contra Costa County Office of Education for the Floyd Marchus Special Education Programs: \$5.00 from Mr. & Mrs. Lyle Marchus; \$20.00 from Mr. & Mrs. Darrel Pfaft; \$50.00 from Mrs. Ruth Sando; \$50.00 from Mrs. Shirley Lindgren; \$50.00 from Ione M.K. Visick; \$10.00 from Ms. Barbara Hall; \$25.00 from Mr. & Mrs. Joseph Coggins; \$10.00 from Ygnacio Valley Elementary; \$50.00 from Mr. Kenneth McNamara; \$10.00 from Ms. Lois Marchus; \$50.00 from Mr. Monty Marchus; \$50.00 from Ms. Marlo Drake; \$25.00 from Ms. B. Barbara Larson (M/S: Mirabella/Ruley; Borsuk absent).

**CORRESPONDENCE/
EVENTS CALENDAR**

Correspondence: None.

Calendar of Events: February 24 – Teacher/Certificated Staff Recruitment Fair, 8:30 a.m. – 12 Noon, Alhambra High School, Martinez; March 13 – Awards Ceremony West County Detention Facility, 9:30 a.m. – 11:00 a.m., WCDF, Richmond; May 10 – ROP Spring Award Celebration, 3:30 p.m. – 5:00 p.m., Pleasant Hill Community Center

**BOARD REPORTS OF
ACTIVITIES**

No written reports of activities were submitted by Board members. Mr. Gomes reported that he attended the Leadership Council meeting that was held this morning and found it to be very informative. Mrs. Mirabella reported that she also attended the Leadership Council meeting this morning; some of the ideas that were discussed at this meeting were marketing efforts between and COE and school districts to market the COE services, K-12 articulation, more partnerships with businesses, staff development for classified and COE being a part of problem solving; she also voiced her concern of the ROP classes with low enrollment and that students are not being counseled into these classes; she also reported that she has arranged to visit all West Contra Costa Unified School District charter schools and has invited Dr. Krapf and Dr. Bloom; she will be visiting Richmond College Prep on Thursday, and on Monday, she and Dr. Bloom will visit Manzanita and Leadership Public Schools. Dr. Krapf reported that he also attended the Leadership Council meeting this morning and enjoyed the panel presentations.

ADJOURNMENT

There being no further business, the Board adjourned at 7:26 p.m.

Joseph A. Ovick, Ed.D., Ex Officio Secretary
County Board of Education

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These unadopted minutes are summaries and excerpts from the regular meeting of February 7, 2007, and are subject to amendment and/or correction prior to the approval of the County Board of Education.