

**County Board of Education**  
**Ronald L. Stewart Center**  
**77 Santa Barbara Road, Pleasant Hill, California**  
**December 12, 2007**

**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 Ovick, Ellen Elster, Ray Penning, Susan Magnone, Michael Bowers, Peggy Marshburn, Bianca Bloom, Judy Parker, Kale Alderson, Lindy Khan, Peter Simack, Diana Perkovich, Janis Colescott, David Yeager, Albert Brown, Myrna Scola, and Laura Dorsey Huerta, County Office staff; high school student GGCS 1-12/12/07 (and family and friends); adult school student CCAS 1/12-12-07 (and family and friends); and Esther Milbury, Deputy County Counsel. A partial list of attendees is on file at the County Office of Education.

**Presiding:** Dr. David Krapf, outgoing Board President, presided until after the election of new officers; he then passed the gavel to incoming Board President Glenn Ruley, who presided for the remainder of the meeting.

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.

**Reorganization of the Board** Outgoing President David Krapf announced the opening of nominations for the 2007-08 Board Officers. Trustee Pamela Mirabella nominated the following slate of officers: Glenn Ruley for president, Daniel Gomes for vice president, and Daniel Borsuk for clerk. Dr. Krapf then passed the gavel to Glenn Ruley, Board vice president, before seconding the motion. There being no further names put forth, nominations for president, vice president, and clerk were closed; and the Board voted unanimously to approve the proposed slate of officers. Mr. Ruley then presided over the remainder of the meeting. Mr. Ruley also presented Dr. Krapf with a card and gift certificate on behalf of the Board as well as a centerpiece from the Teacher of the Year awards event with a plaque that read: "In recognition of your outstanding leadership and strong support of all learners in Contra Costa County during 2006-07 as President of the Contra Costa County Board of Education." Dr. Krapf thanked the Board and staff for their support throughout the past year.

**AGENDA REVIEW AND ADOPTION** The Board adopted the agenda as presented (M/S: Borsuk/Gomes).

**PUBLIC COMMENT** None.

**CLOSED SESSION** The Board convened in closed session at 6:02 p.m. and reconvened to open session at 6:06 p.m. Board President Ruley announced that the Board had had a conference with legal counsel regarding existing litigation (N.P. v. Contra Costa County office of Education, et al., MNS07-177, and M.H. v. Contra Costa County Office of Education, et al., MSN07-1796) and that no action was taken.

**RECOGNITIONS**  
**Granting of Contra Costa County High School Diplomas** The Board voted unanimously to grant a Contra Costa County High School Diploma to high school student GGCS 1-12/12/07 and a Contra Costa County Adult School Diploma to adult school student CCAS 1/12-12-07 (M/S: Mirabella/Gomes). Golden Gate Community School Independent Study Teacher David Yeager and Contra Costa Adult School Teacher Albert Brown introduced their respective graduates and provided some background on their educational attainments. Dr. Joseph Ovick, County Superintendent of Schools, and Board President Glenn Ruley presented the graduates with their diplomas and conveyed their congratulations. The graduates thanked their families and staff for supporting their educational efforts over the years.

**Employee Recognition** Principal Peter Simack introduced Myrna Scola, Instructional Assistant, Special Education, who was recognized by the Board for her 25 years of services to the Contra Costa County Office of Education. Mr. Simack described Ms. Scola's contributions to the agency during her tenure, and President Ruley presented her with a gift from the agency and Board.

**PUBLIC HEARINGS** None.

**ADMINISTRATIVE ITEMS**

**SUPERINTENDENT**

**Report**

Joseph A. Ovick, Ed.D., County Superintendent of Schools, reported the following: last week, the Contra Costa SELPA Governance Council voted unanimously to approve the new allocation rate for the special education programs operated by the CCCOE on behalf of the 15 school districts that comprise the Contra Costa SELPA; he congratulated Ray Penning, Jane Shamieh, and Judy Parker on their excellent work in meeting individually with the superintendents on the Governance Council, working with the SELPA director, and preparing the data-driven presentation that convinced the Governance Council to support the rate increase; the CCCOE will be receiving approximately \$721 more per pupil beginning in the 2008-09 school year; he attended a Policy Committee meeting of Children NOW yesterday in Sacramento; the meeting's purpose was to begin looking at how universal preschool can be provided to children who reside in communities where public schools fall within Deciles 1 and 3 in state testing; and he stated that a plan for universal preschool needs to be devised for the state of California and that he has been invited to participate in the process.

**BUSINESS AND ADMINISTRATIVE SERVICES**

**2007-2008 First Period Interim**

**Report**

Judy Parker, Interim Director III, Administrative and District Business Services, offered to answer any questions regarding the 2007-2008 First Period Interim Report. Mr. Borsuk asked whether there is anything the agency is keeping a careful eye out for, and Mrs. Parker responded that except for the increase in the special education allocation rate, which will need to be addressed, the agency appears to be in good shape based on the projections. Mrs. Mirabella stated that she had discussed four different items earlier with Mrs. Parker and that one of her concerns had been about changing the community day school to a community school, which decreases the number of hours that students spend in school, and she asked what caused the CCCOE to make this particular change. Mr. Penning responded that the change was due to a programmatic issue and that having a self-contained class through a community day school comprised of expelled students who do not have rotational schedules made it difficult to maintain good behavior in such a setting; therefore, enrollment was affected and the Pittsburg Unified School District began to have concerns about the class. As a result, after meeting with the Pittsburg USD, it was determined that a community school would be more successful. There is now a higher number of students enrolled in the school than last year. He also clarified that the school is now part of one integrative system made up of Golden Gate Community Schools rather than being the sole community day school. Mrs. Elster addressed concerns by Mrs. Mirabella that the Board was not informed that this change had occurred and stated that the decision was made in June when plans for the new budget year were being put in place. Mr. Borsuk asked where the school is located, and Mr. Penning responded that it is housed in some portable buildings on the grounds of the old Martin Luther King Elementary School in Pittsburg. Mr. Borsuk expressed concern that the expelled students were being housed on school grounds, and Mr. Penning clarified that it is a common misperception that expelled students cannot be on school grounds; to the contrary, expelled students must have a rehabilitation plan that requires them to be enrolled in school. A student is usually sent to a school other than the one from which he/she was expelled. Mrs. Mirabella then asked Mrs. Parker about page 75 that dealt with new facilities, and Mrs. Parker stated that she had not had time to discuss those figures with Mrs. Nakayama. Lastly, Mrs. Mirabella asked if it might be possible to have some documentation, such as goals and objectives, identified during the budget process for Making Waves Academy, the CCCOE's charter school, and Mrs. Elster stated that she believed that that could be done. The Board then voted unanimously to approve the 2007-2008 First Period Interim Report of the County School Service Fund Budget (M/S: Mirabella/Borsuk).

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

Judy Parker, Interim Director III, Administrative and District Business Services, presented this item, but Board members had no questions.

**2006-07 Single Audit Annual  
Financial Report for the County  
School Service Fund**

Deputy Superintendent Ellen Elster introduced this item and informed the Board that a new audit firm performed the 2006-07 Single Audit Annual financial Report. Mr. Gomes asked why the CCCOE changed audit firms, and Mrs. Elster stated that the State Department of Education does not like an educational agency to use a particular audit firm year after year, and since the CCCOE had used the former audit firm for eight years, a decision was made to change audit firms. Mrs. Parker noted that there were no findings. Mrs. Mirabella asked if there is a plan in place for post-employment benefits with regard to actual liability and contributions, and Mrs. Parker responded that the figures presented in the Report were based on an actuarial study that was performed in May and that the implementation will take place in 2008/09; therefore, prior to that date, a plan will be structured with assistance from the Human Resources Department on how to fund the post-employment benefits. Mrs. Elster explained that the CCCOE is currently using a pay-as-you-go system, paying for the retirees every year out of the budget, but a long-term plan needs to be developed to fund the unfunded liability by the next fiscal year. Mr. Bowers clarified that the plan may end up being that the CCCOE will continue the pay-as-you-go system, since it is not required to do otherwise and may, in fact, be the best system for the agency to use. The Board thanked staff for their hard work.

**Resolution No. 3-07/08**

The Board voted by the following roll call vote to adopt Resolution No. 3-07/08 to verify 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: Mirabella, aye; Krapf, aye; Gomes, aye; Borsuk, aye; and Ruley, aye (M/S: Mirabella/Borsuk).

**Sublease Agreement**

Deputy Superintendent Ellen Elster introduced this item and distributed copies of a substitute page for Exhibit 1, which shows where additional electrical outlets will be needed. She noted that this new location replaces the facility for the classroom that was housed at the Baca Building. Mr. Gomes asked what types of activities would be going on at the new location, and Mrs. Elster stated that Web design and computer applications classes would be offered for adult students during daytime and evening hours. She also emphasized that the agency would be saving almost \$20,000 by subleasing the new facility instead of the Baca Building. The Board voted unanimously to approve a Sublease Agreement between the Contra Costa County board of Education and Donna Kooler of Kooler Design Studio, Inc., for ROP classroom space (1,389 square feet) located at 399 Taylor Boulevard, Suite 103, Pleasant Hill, California (M/S: Mirabella/Krapf).

**Budget Augmentation**

Deputy Superintendent Ellen Elster explained that this contract authorizes the CCCOE to operate and administer a 60-day open-ended educationally based Substance Abuse Treatment and Recovery (STAR) Program as part of the CDCR In-Custody Drug Treatment Program (ICDTP). Mr. Penning emphasized that because the Department of Corrections and Rehabilitation has been so pleased with the CCCOE's work, the agency has been asked to expand its services in both the central and southern parts of the state. Dr. Krapf asked whether the positions listed are new or existing positions, and Mr. Penning noted that there was an increase of nine teachers, bringing the total to 22 teachers. Mrs. Mirabella asked if all of the students are in custody, and Mr. Penning stated that this particular program does only work with adult students that are in custody. The Board voted unanimously to approve the budget augmentation to increase contract P06.0018 between the State of California Department of Corrections and Rehabilitation and the Contra Costa County Office of Education to a total of \$8,838,931 (an increase of \$1,701,376) (M/S: Mirabella/Borsuk).

**Staff Report**

Deputy Superintendent Ellen Elster distributed copies of an article that was published in the Contra Costa Times on December 8 regarding a citizen's determination to use a 10% petition to change school district boundaries so that all schools currently in the city of Walnut Creek that are part of the Mt. Diablo Unified School District would become part of a Walnut Creek unified school district; her plan would also move Northgate High School to the Acalanes Union High School District. She discussed this matter briefly with the Board and noted that the woman who is spearheading the petition believes that all districts will agree to the change and that the matter will be on the ballot in November. Mrs. Elster also reported that CCSESA has advised superintendents and CBOs that there is now a \$14 billion deficit and that the governor might declare a financial emergency, which might mean a suspension of Proposition 98 or mid-year cuts. She noted, however, that the CCCOE is financially sound at the moment.

**STUDENT PROGRAMS AND SERVICES**

**2007-2008 School Site "Single Plan for Student Achievement"**

Ray Penning, Associate Superintendent, Student Programs and Services, reported that in order for Title I, Part A, schools to receive funding, each site must have a site plan that is to be presented to the Board on an annual basis. Mr. Borsuk asked if site plans have, in fact, come before the Board in the past, and Mr. Penning stated that Launi Holland, who recently took over the oversight of this matter, noticed that the site plans should have been brought to the Board in the past. Therefore, this is the first one that the Board has actually seen, even though past plans were always sent on to the state as required by law. The Board then voted unanimously to approve the 2007-2008 school site "Single Plan for Student Achievement" (M/S: Borsuk/Krapf).

**Staff Report**

Ray Penning, Associate Superintendent, Student Programs and Services, reported that there are currently no expulsions pending. He also noted how educational it has been for him as the interim director of the California Department of Corrections and Rehabilitation to learn of many good things that are happening within its programs, and he shared that the staff members are very committed to the success of their students. Mrs. Mirabella asked what happened to the appeal hearings that had previously been scheduled to be heard this evening, and Mr. Penning explained that attorneys handling those cases decided to follow the due process procedures with regard to special education issues.

**EDUCATIONAL SERVICES**

**Staff Report**

Dr. Susan Magnone, Associate Superintendent, Educational Services, reported that one of the biggest issues that districts will be facing next year is the math textbook adoption. She explained that the State Board of Education has approved 40 different publishers; therefore, within a fairly short time period, districts must sort through all 40 offerings before making a decision on which textbooks they will ultimately use. She noted that her department would be using a toolkit to help train districts at the next Curriculum Council meeting on how to evaluate the large number of textbooks. Surprisingly, there was so much interest in this particular training, 89 people from 15 schools districts signed up, requiring the rental of a room at the Pleasant Hill Community Center to accommodate them. She added that it was good to see that a critical need was identified that could be met by the CCCOE in a very timely manner, and she expressed the belief that the training would be very successful.

**HUMAN RESOURCES**

**Staff Report**

Michael Bowers, Associate Superintendent, Human Resources Department, reported that the agency is currently negotiating with both of its employee bargaining units (CTA and Local One) but that dollar figures have not yet been settled on since the state's finances are still up in the air; therefore, only non-financial issues have been discussed to date.

**COMMUNICATIONS**

**Staff Report**

Communications Officer Peggy Marshburn reported that the Academic Decathlon is scheduled to take place in January and February and Mock Trial will take place throughout the month of February. She noted that interviewers, speech judges, and other volunteers are being sought for the Academic Decathlon and invited Board members to either participate or let Joan Sieczkowski know if they are aware of friends or relatives who would be interested in volunteering.

**BOARD**

**Legislative Update**

None.

**2008 Proposed Schedule of Regular Meetings of the County Board of Education**

After a brief discussion, the Board voted unanimously to approve the 2008 Proposed Schedule of Regular Meetings of the County Board of Education as presented (M/S: Mirabella/Gomes). Dr. Krapf noted that he would be unable to attend the January 16 meeting due to a work conflict, and Mrs. Mirabella mentioned that she might be unable to attend that same meeting because of a potential personal conflict.

**CONSENT ACTIONS**

**Minutes of November 7, 2007; Temporary County Certificates; Contra Costa County High School Diplomas; and Public Gifts**

The Board voted to approve/accept/grant the following Consent Actions: the minutes of the November 7, 2007, granting of Contra Costa County High School Diplomas to high school students MM1-12/12/2007, MM2-12/12/2007, and GGCS 2-12/12/2007; and public gifts, which were donated to the Contra Costa County Office of Education for Student Programs/ROP (M/S: Borsuk/Gomes).

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**CORRESPONDENCE/  
EVENTS CALENDAR**

**Correspondence:** None.

**Calendar of Events:** December 13 – Contra Costa Adult School Quarterly Award Ceremony, 10:30 a.m., Marsh Creek Detention Facility Chapel; January 24, 2008 – Contra Costa Public Information Network: “Spreading the Word: Pushing Emergency Notification Through Technology,” Walnut Creek City Hall, 3<sup>rd</sup> Floor Conference Room, 10:00 a.m. to noon; February 23 – CCCOE 2008 Teacher/Certificated Staff Recruitment Fair, Alhambra High School gymnasium, Martinez; March 7-8 – CCBE Annual Spring Conference.

**BOARD REPORTS OF  
ACTIVITIES**

Mr. Ruley noted that Board Member Borsuk had submitted a written report of activities.

**ADJOURNMENT**

There being no further business, the Board adjourned at 7:12 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 December 12, 2007, and are subject to amendment and/or correction prior to the approval of the County Board of Education.