

County Board of Education
Ronald L. Stewart Center
77 Santa Barbara Road, Pleasant Hill, California
January 18, 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 Trustee

Absent: None

Others: Joseph Ovick, Ellen Elster, Ray Penning, Michael Bowers, Wendy Richard, Catherine Giacalone, Jane Shamieh; Lynn Mackey, Merrill Neave, Barbara Berman, and Laura Dorsey Huerta, County Office staff; high school students MM 1-1/18/06 and MM 2-1/18/06 (and family and friends); Christine Iovannicci of the Contra Costa Home Services Teenage Program; Esther Milbury, County Counsel's Office; Dan Ocheltree, Liberty Union High School District; Cynthia Shwerin, Esq., counsel for Liberty Union High School District; and Student A-1/18/06 and parent. 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 5:00 p.m. with the recitation of the Pledge of Allegiance.

AGENDA REVIEW AND ADOPTION The agenda was adopted with the following amendment: Item 7.4.2 was deleted (M/S: Ruley/Krapf).

PUBLIC COMMENT None.

CLOSED SESSION

Expulsion Appeal The Board convened in closed hearing at 6:31 p.m. to consider the expulsion appeal of a parent on behalf of a child, Student A-1/18/06, from the Liberty Union High School District. After the parties made their presentations, the Board recessed to closed deliberation at 7:10 p.m. The Board reconvened to closed hearing at 7:32 and then to open session. Deputy County Counsel Esther Milbury announced that the Contra Costa County Board of Education voted unanimously to uphold the district board's decision to expel Student A-1/18/06; the district board did not act without or in excess of its jurisdiction in expelling the student; there is evidence in the record to support the district board's decision to expel the student based upon violations of Education Code sections 48900(a)(1) and (k) when the student, on his way to school, engaged in a fight with another student; the student received a fair hearing before the administrative panel and the district board; the record shows that the student received advance notice of the hearing and of his hearing rights as required by Education Code section 48918(b); the student was given copies of all documents to be used at the hearing and was given time to inspect those documents; the district board did not commit a prejudicial abuse of discretion; there is evidence in the record to support the district board's findings that other means of correction have repeatedly failed to bring about proper conduct, and, due to the nature of the incident (engaging in a fight with another student), the student's presence on campus would cause a continuing danger to his physical safety or that of others. In addition, she stated that the Contra Costa County Board of Education has authorized its Chairperson, pursuant to Education Code section 48923(c), to sign this Board's decision when it is reduced to writing and that, pursuant to Education Code section 48919, it shall render its written findings and decision within three school days.

RECOGNITIONS

Contra Costa County High School Diplomas

The Board voted unanimously to grant a Contra Costa County High School Diploma to high school students MM 1-1/18/06 and MM 2-1/18/06 (M/S: Borsuk/Ruley). The students' teacher, Merrill Neave, introduced the graduates and gave some background on their educational attainment and future goals. It was noted that high school student MM 1-1/18/06 had scored 1500 on her SATs. Health Educator Christine Iovannicci, Contra Costa Home Services Teenage Program, then presented the graduates with special recognition certificates. Dr. Ovick, County Superintendent of Schools, and Board President Pamela Mirabella presented the graduates with their diplomas and offered their congratulations.

PUBLIC HEARINGS & APPEALS

None.

ADMINISTRATIVE ITEMS

SUPERINTENDENT

Report

Dr. Joseph A. Ovick, County Superintendent of Schools, wished the Board a Happy New Year and then reported that the Byron Union School District (BUSD) has received correspondence from parents regarding alleged bullying at a middle-school campus, and the incidents have been addressed by the local board of education and district superintendent; he further explained that the matter now involves County Supervisor Mary Piepho and Assemblyman Guy Houston, who hosted a town hall meeting on January 13 in Discovery Bay to discuss the issues relative to the alleged bullying incidents; Communications Director Peggy Marshburn, attended the meeting along with approximately 70 other people; he noted that the majority of the attendees spoke in support of the middle school and what the district is doing; behind the scenes, COE staff members Abe Doctolero and Louise Barbee have been working with the district in terms of their comprehensive anti-bullying program that has been implemented for the past two years; and there is a district town hall meeting scheduled tomorrow evening that will be facilitated by Mr. Doctolero and Ms. Barbee so that the BUSD board of education and superintendent can listen and become involved without having to coordinate the meeting. Dr. Ovick also reported that he had heard from LULAC, the advocacy group for Hispanic youth, that after the CCCOE's team counted the textbooks in the Mt. Diablo Unified School District, they were taken away and the students were not able to use them; however, he followed up with the superintendent and Dr. Susan Magnone followed up with the principal at the school site, and it was determined that the textbook allegation was without basis. Also, he noted that Abe Doctolero facilitated two activities at the beginning of the school year in Mt. Diablo to solicit any concerns from the students and teachers. He then reported that he participated as a guest speaker last night at a town hall meeting in Concord sponsored by County Supervisor Mark DeSaulnier on the topic of "Youth in Contra Costa County," and he stated that Mt. Diablo appears to be heading in the right direction to resolve the concerns raised by the Hispanic community. Also, he reported that he has ordered an extraordinary audit of the career technical education classes in the West Contra Costa Unified School District, and he expects to receive the report in late February. Dr. Ovick then distributed a summary of his trip to Washington, D.C., last week as a member of the Association of Educational Service Agencies and reported on the briefings in which he participated and the topics that were covered. He also distributed copies of the summary from the Master Plan meeting that had taken place at Mills College.

BUSINESS AND ADMINISTRATIVE SERVICES

Grant from Commission of California Service Corp. (CSC)

Associate Superintendent Ray Penning and Deputy Superintendent Ellen Elster provided some background information on this item, and YDS Manager Catherine Giacalone assisted in answering Board members' questions. The Board then voted unanimously to accept the grant for \$94,046 from the Commission of California Service Corp. (CSC) (M/S: Borsuk/Krapf). It was noted that this grant would focus on providing services to foster- and WIA-eligible youth such as tutoring, informal mentoring/more attention from adults, and guidance to transition from high school to post-secondary education and/or employment. The Board requested that a presentation on this program be provided in the future.

County School Service Fund (CSSF) Investment Activities

Deputy Superintendent Ellen Elster introduced this item, and Administrative Business Services Director Wendy Richard answered Board members' questions on the County School Service Fund (CSSF) investment Activities.

Board Resolution No. 7-05/06

Deputy Superintendent Ellen Elster presented this item to the Board and answered Board members' questions. The Board then adopted Board Resolution No. 7-05/06 to Certify the Carryover of Unmatched Deferred Maintenance Deposits by the following roll call vote: Krapf, aye; Gomes, aye; Ruley, aye; Borsuk, aye; and Mirabella, aye (M/S: Ruley/Borsuk).

Staff Report

Deputy Superintendent Ellen Elster distributed copies of the pocket budget she received from School Services, Inc., on the Governor's budget and provided some of its highlights. In response to a question posed by Mr. Gomes, Mrs. Elster informed the Board that a petition has not yet been received from a landowner in Knightsen requesting a change in school district boundaries.

STUDENT PROGRAMS AND SERVICES

2005-2006 Consolidated Application, Part II

Associate Superintendent Ray Penning introduced this item and noted some changes in the application. The Board then voted unanimously to approve the 2005-2006 Consolidated Application, Part II (M/S: Borsuk/Krapf).

Staff Report

Ray Penning, Associate Superintendent, Student Programs and Services, reported that one expulsion appeal hearing that had previously been scheduled for tonight's Board meeting was withdrawn and that there may be an expulsion appeal hearing scheduled for the next Board meeting.

EDUCATIONAL SERVICES

Presentation on Williams Settlement Annual Report

Coordinator Barbara Berman reported that copies of the Williams Settlement Annual Report were sent to the Board in December. She then proceeded to review with the Board a summary of the Annual Report. Dr. Berman, Dr. Ovick, and Human Resources Associate Superintendent Michael Bowers answered Board members' questions.

Staff Report

On behalf of Dr. Susan Magnone, Associate Superintendent of Educational Services, Dr. Ovick reported the following: the CCCOE is in the process of receiving a \$25,000 grant from Chevron to purchase content material needed for the Ed1stop portal project, which will provide additional resources for teachers in the schools that are currently using the portal services; during the month of January, the CCCOE is providing 13 days of AB 75 training, which is the principal academy for practicing principals and assistant principals; he noted that the CCCOE's principals are also participating in the trainings; C & I is involved with seven days of BTSA training for beginning teachers and their mentors, and there are two days of Standards Aligned Instruction Learning (SAIL) training that was developed by C & I staff to work with school teams so that those teams can, in turn, work with other staff members at their school sites as well as with the parents and community; the Business-Education Summit held on January 10 involved K-12 educators and representatives from community colleges and institutions of higher learning; he noted that Bill Daggett made the presentation and that the next recommended steps will now be analyzed to help carry the momentum through the next few years.

HUMAN RESOURCES

Staff Report

Michael Bowers, Associate Superintendent, Human Resources, addressed the subject of the paperwork (teacher consent forms) necessary to clear teaching assignments for credentialed teachers and the requirements of the Education Code and No Child Left Behind (NCLB); the Annual Job Fair is scheduled to take place on Saturday, February 25, and he invited Board members to attend.

COMMUNICATIONS

Staff Report

On behalf of Chief Communications Officer Peggy Marshburn, Dr. Ovick reported that Mrs. Marshburn could not attend this evening's Board meeting because she is serving as a presenter at the Countywide Emergency Preparedness Conference.

BOARD

Legislative Update

None.

CONSENT ACTIONS

Minutes of December 7, 2005; Contra Costa Adult School Diplomas; Contra Costa County High School Diploma; Temporary County Certificates; and Public Gifts

The Board unanimously voted to accept/grant/approve the following items under the Consent Agenda: the minutes of December 7, 2005; Contra Costa Adult School Diplomas to adult school students Elizabeth Marie Anderegg, Jemar James McKneeley, Alexancer R. Hamilton, and Zepp M. Crouchet; a Contra Costa County High School Diploma to high school student MM 3-1/18/06; applications for Temporary County Certificates; and the following public gifts, which were donated to the Contra Costa County Office of Education: \$1,100 from Mr. and Mrs. Kaur, Versa Systems, Inc., for East County Secondary Special Education Programs at Liberty; \$300 from Mr. Bender, Exceptional Needs Network, for East County Secondary Education Programs at Liberty; \$200 from Stephen M. and Rosalie I. Kahn for East County Special Education programs at Pittsburg High School; 4100 from Kenneth J. McNamara for Floyd I. Marchus School; \$100 from Mr. and Mrs. J. Craven for Central County Regional Programs at Mauzy School; \$85 from Arthur Symonds for Floyd I. Marchus School; and \$50 from Diane Larson for Floyd I. Marchus School (M/S: Borsuk/Krapf). Mr. Penning noted that all of the students who received diplomas this evening had to pass the California High School Exit Exam (CAHSEE) prior to graduating, pointing out that a misperception may exist that these students are unable to pass the exam.

**CORRESPONDENCE/
EVENTS CALENDAR**

Correspondence: Letter dated December 8, 2005, to Glenn Ruley from The Center for the Future of Teaching & Learning providing him with their latest report, *The Status of the Teaching Profession 2005*; letter dated December 8, 2005, to Daniel Borsuk from the California Teachers Association thanking the Board for its support in defeating the governor's measures in November; invitation received January 3 from Friends of Joe Canciamilla to the Board to attend Assemblyman Joe Canciamilla's Seventh Annual Crab Feed on February 3; flyer received January 4 from ConocoPhillips inviting Board members to attend a celebration of diversity on January 14 at Rodeo Hills Elementary School; letters dated January 5, 2006, to Board members from East Bay Municipal Utility District regarding the 2005 East Bay Municipal Utility District Annual Report, *Water for Life*.

Calendar of Events: Jan. 19 – Contra Costa Public Information Network workshop, "Training Your Disaster Response Team: What's New," 10:30 a.m. to noon, CCCOE Board Room; Jan. 27 – Awards Ceremony, Mt. McKinley School; February 25 – CCCOE's Annual Teacher/Certificated Staff Job Fair; March 17 – CCBE workshop, Effective Governance, Sacramento; April 4 – Awards Ceremony, Mt. McKinley School; ROP Spring Awards Celebration, 3:30-5:00 p.m., Pleasant Hill Community Center; June 23 – Awards Ceremony, Mt. McKinley School.

**BOARD REPORTS OF
ACTIVITIES**

No written reports of activities were submitted by Board members. Mr. Gomes reported on a meeting of the Pleasant Hill Education Schools Advisory Commission he attended yesterday evening. Mrs. Mirabella mentioned that she had e-mailed the other Board members regarding a CSBA Region 7 meeting tomorrow evening to discuss the achievement gap, and she asked if anyone might be able to attend. She then reported that West Contra USD Trustee Karen Pfeifer got back to her regarding the district's search for an alternative education site; unfortunately, though, the possible site she identified had been considered previously and rejected. Mrs. Mirabella stated that she would continue to work with Ms. Pfeifer to identify an appropriate site.

ADJOURNMENT

There being no further business, the Board adjourned the meeting at 7:37 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 January 18, 2006, and are subject to amendment and/or correction prior to the approval of the County Board of Education.