

*To be Approved
at the Regular Meeting
of July 25, 2016*

**VENTURA COUNTY BOARD OF EDUCATION
MINUTES OF REGULAR MEETING OF
JUNE 27, 2016**

A. CALL TO ORDER

1. Call to Order, Pledge of Allegiance to the Flag, and Moment of Reflection

Dr. Mark Lisagor dedicated this meeting to Dr. Valerie Chrisman, retiring Associate Superintendent, Educational Services. The Regular Meeting of the Ventura County Board of Education, Agenda 16-09, was called to order by Dr. Mark Lisagor, Board President at 6:00 p.m. on Monday, June 27, 2016 in the Board Room of the VCOE Conference & Educational Services Center, 5100 Adolfo Road, Camarillo. The Pledge of Allegiance to the Flag was led by Dr. Lisagor, followed by a moment of reflection.

2. Roll Call

Trustees Present:

Rachel Ulrich, Area 1
Marty Bates, Area 2
Dr. Mark Lisagor, Area 3
Dean Kunicki, Area 4
Dr. Ramon Flores, Area 5

VCOE Personnel Present:

Stanley C. Mantooth, Ventura County Superintendent of Schools and Ex-Officio Secretary and Executive Officer of the Board
Dr. Valerie Chrisman, Associate Superintendent, Educational Services
Misty Key, Associate Superintendent, Fiscal and Administrative Services
Emily Mostovoy, Executive Director, Special Education
Mary Samples, Assistant Superintendent, SELPA
David Simmons, Assistant Superintendent, Personnel Services
Tom Etchart, Director, Internal Business Services
Richard Urias, Director, Charter School Support
Nancy Akkerman, Senior Executive Assistant

3. Approval of Agenda.

Dr. Lisagor reported that Agenda Item C.1 was cancelled. Agenda Item D.1, Closed Session, Expulsion Case 1604E, has been continued to August 22, 2016, at the request of the appellant and the respondent. Ms. Ulrich moved the agenda be approved as amended. Mr. Bates seconded the motion, and the motion carried unanimously (5:0).

B. PUBLIC COMMENTS

The following members of the public addressed the Board:

1. Mike Terman, California Federation of Teacher Representative, spoke regarding Agenda Item L.5, encouraging the Board to support Resolution 16-06.

C. HEARINGS

1. Interdistrict Attendance Appeal Case No. 1602
CANCELLED following publication of the Agenda.
2. Interdistrict Attendance Appeal Case No. 1603
Mr. and Mrs. Ramirez and their son, Sebastian, were in attendance. Robin Faigin, Director of Special Education, was in attendance representing Ventura Unified School District. Ms. Ulrich moved the Board uphold Interdistrict Attendance Appeal Case No. 1603. Mr. Bates seconded the motion, and it carried unanimously (5:0).

D. CLOSED SESSION

1. Expulsion Appeal Case No. 1604E
Expulsion Appeal Case No. 1604E was continued to August 22, 2016.

E. PRELIMINARY

1. Report of Action Taken in Closed Session
None.
2. Approval of Minutes of Regular Meeting of June 20, 2016.
Dr. Flores moved the Minutes of the Regular Meeting of June 20, 2016 be approved. Mr. Bates seconded the motion, and it carried 3:0:2; with Mr. Bates, Dr. Lisagor and Dr. Flores voting aye; and Ms. Ulrich and Mr. Kunicki abstaining.

F. CORRESPONDENCE

1. Email from Mr. Mantooth to Trustees Ulrich and Kunicki regarding Information from June 20, 2016 Board Meeting
2. Email from Hywel ap Rees, regarding ACRE Education and their support of Esperanza Oxnard Academy in securing facilities for Fall 2016.

G. PRESIDENT'S AND BOARD MEMBERS' REPORTS

1. Dr. Lisagor reported that he attended a Providence graduation last week. He also attended Dr. Chrisman's retirement ceremony.
2. Dr. Flores reported that he too attended Dr. Chrisman's retirement ceremony.
3. Dr. Lisagor mentioned the upcoming Providence graduations.
4. Ms. Ulrich reported that she will be attending the CCBE Fall Conference. Dr. Flores will not be attending the CSBA Conference.

H. SUPERINTENDENT'S REPORT

None.

I. LEGISLATIVE REPORT

1. Dr. Lisagor reported that the State Budget was signed today.

J. CONSENT/ACTION

1. Travel Expense Claim
2. Temporary County Certificates
3. Action on Consent Items 1-2.

Ms. Ulrich moved the Board approve Consent Items 1-2 as presented.

Mr. Bates seconded the motion, and the motion carried unanimously (5:0).

K. PRESENTATIONS

None.

L. DISCUSSION/INFORMATION/ACTION

Action on a Matter Not on the Regular Meeting Agenda: Decision to Deny or Approve Esperanza Oxnard Academy Charter School's Request for a 30 day Extension

Dr. Lisagor announced that the Board has received a request to take action on a matter which was not on the Regular Meeting Agenda. Dr. Lisagor distributed copies of a letter from Esperanza Oxnard Academy Charter School.

Dr. Lisagor explained that on June 23, 2016, at 3:21 p.m., the Office received an email from Esperanza Oxnard Academy Charter School requesting that the Board approve a 30-day extension of the Charter approval process so that Esperanza Oxnard Academy Charter School can fully discuss, address, and resolve all of the County Board's questions and concerns before the Board votes to deny or approve the Charter petition. This request for a 30 day extension was received following the posting and publication of the agenda for the June 27th meeting of the Ventura County Board of Education.

In accordance with Government Code 54954.2, the Open Meetings Act, in order to take action on Esperanza Oxnard Academy Charter School's request for a 30 day extension, the Board must first determine by a two-thirds vote of the Board members present at this meeting (in this case 4 Board members would equal two-thirds); that there is a need to take immediate action; and, that the need for action came to the attention of the Board and staff after the meeting agenda was posted.

Dr. Lisagor moved that there is a need for the Board to take immediate action on a matter not on the Regular Meeting Agenda (Esperanza Oxnard Academy Charter School's request for a 30-day extension) and that the action came to the attention of the Board and staff after the meeting was posted. Dr. Flores seconded the motion.

Mr. Bates asked if the Board adds this item to the agenda, will it include further presentations by EOA and our staff. Mr. Mantooth noted that the presentation opportunity has already occurred. This would simply lead to additional clarification of issues that were included in the original petition. This appeal is to be based on the information that was available to Oxnard School District at the time; not what transpires afterward that Oxnard School District did not know about or see. The alternative is for the petitioners to craft a new petition and reapply.

Ms. Ulrich noted that as with previous petitioners, EOA would be encouraged to go back to the original school district, not the County Board of Education.

After further discussion, Dr. Lisagor called for the vote on the motion: That there is a need for the Board to take immediate action on a matter not on the Regular Meeting Agenda (Esperanza Oxnard Academy Charter School's request for a 30-day extension) and that the action came to the attention of the Board and staff after the meeting was posted. The motion carried upon a 4:1 vote, with Ms. Ulrich, Mr. Kunicki, Dr. Flores and Dr. Lisagor voting aye; and Mr. Bates voting nay.

The Board added the following agenda item to the Board agenda:

0. Decision to Deny or Approve Esperanza Oxnard Academy Charter School's Request for a 30 day Extension

Ms. Ulrich moved the Board deny Esperanza Oxnard Academy Charter School's request for a 30 day extension. Dr. Lisagor seconded the motion for discussion purposes.

Ms. Ulrich noted that the charter petition has so many insurmountable issues that if changes were allowed it would be a substantially different charter petition. Mr. Urias doesn't know how much benefit there would be to extending the timeline. The petition has been reviewed by staff and areas where the petition does not meet the requirements were identified. If there were only a facility issue, which can be fluid situation, granting the extension might make a difference in that area; but the educational program, special education, and budgetary issues cannot be addressed as that would constitute a substantial change to the charter as presented to the Oxnard School District. Mr. Urias also noted that he has contacted the CDE regarding the deadline for receiving a school number which is necessary in order for the charter school to start for the 2016-17 school year. If the charter is approved tonight, the CDE could provide a number, but if the decision is delayed 30 days, the deadline will have passed.

Ms. Ulrich noted that if the Board were to grant this extension, families could be put in a position where they enroll in a charter school that then did not open, and their students would be left without a spot in their neighborhood school.

Dr. Lisagor called for the vote. Esperanza Oxnard Academy Charter School's request for a 30 day extension was denied upon a unanimous vote (5:0).

1. Decision to Deny or Approve the Appeal of the Esperanza Oxnard Academy Charter School Petition – DISCUSSION / ACTION (10 minutes)

Mr. Urias noted that there are two resolutions before the Board tonight – one to approve and one to deny the EOA Charter School Petition on appeal.

Mr. Kunicki asked about the options for the charter school if this charter did not open on the date they had wanted? Mr. Urias responded that EOA could appeal to the State Board of Education; or they could rewrite or alter the petition and reapply to a local school district. If they were to appeal to the SBE, they would not be able to open this year.

- a. Dr. Flores moved the Board adopt Resolution 16-05, denying the Esperanza Oxnard Academy Charter School petition for the reasons set forth therein, which shall become the Ventura County Board of Education's required Findings of Fact. Mr. Bates seconded the motion.

Dr. Flores noted that his primary concerns were the size of the facility and the viability of the budget. He was also concerned about the special education and transportation issues.

Ms. Ulrich expressed her concerns regarding the budget, and the organizational components needed to successfully open a school.

Mr. Kunicki stated that he is not concerned with the educational program; however, he has great concerns regarding the budget. The rental facility option expired two days ago; and anticipating 300 students as a start up enrollment seems very aggressive. Those charter schools that are successful have not achieved the level of growth in four years that EOA anticipates. He would urge the petitioners to rewrite and reapply the charter petition.

Dr. Lisagor called for the vote. The motion to adopt Resolution 16-05, denying the Esperanza Oxnard Academy Charter School petition for the reasons set forth therein, which shall become the Ventura County Board of Education's required Findings of Fact, passed upon a unanimous vote (5:0).

The Board took a 3 minutes break at 6:51 p.m.

2. Adoption of Ventura County Office of Education Local Control Accountability Plan (VCOE LCAP)

Mr. Mantooth noted that in accordance with Education Code 52062, a Public Hearing to solicit the recommendations and comments regarding the proposed VCOE LCAP was held on June 20, 2016. Ms. Ulrich moved the Board approve the Ventura County Office of Education Local Control Accountability Plan as presented. Mr. Kunicki seconded the motion, and it carried unanimously (5:0).

3. Adoption of the 2016-17 County Schools Service Fund Budget and the Review of the Criteria and Standards for the County Schools Service Fund

Mr. Mantooth noted that a Public Hearing on the 2016-17 County Schools Service Fund Budget and review of the Criteria and Standards for the County Schools Service Fund was also held on June 20, 2016. The budget is now presented on the State required forms.

Ms. Key noted that the budget has been presented in stages. Page 100 which includes the multi-year projections, reflects deliberate deficit spending due to the transition to fee for service. As the year progresses, those programs that are not paid for will be rightsized.

Mr. Bates moved the Board adopt the 2016-17 County Schools Service Fund and the Review of the Criteria and Standards for the County Schools Service Fund as presented. Mr. Kunicki seconded the motion, and it carried unanimously (5:0).

4. Adoption of Textbooks for County-Operated Schools

Mr. Mantooth noted that the Board has previously received a presentation on the following comprehensive standards based curriculum for preschool – postsecondary grades, for moderate-severe classrooms, and textbooks for Grades 6-8 and 9-12 Mathematics which have been recommended for adoption.

For the moderate – severe programs, the recommendation for adoption is N2Y Unique Curriculum. The Middle School mathematics textbooks recommended for adoption for the Gateway, Providence, Phoenix, Triton Academy and Foster schools are: **Pearson Prentice Hall: Connected Math 3 (CMP3) Middle School Math Program and DIGITS as a supplemental and/or intervention resource.** The High School textbooks recommended for adoption for the Gateway, Providence, Phoenix, and Triton Academy Schools are: **It's About Time: Interactive Mathematics Program (IMP) Years 1-4.**

Dr. Flores moved the Board adopt the listed textbooks and curriculum for County-Operated Schools. Mr. Kunicki seconded the motion, and the motion carried unanimously (5:0).

5. Possible Adoption of Resolution 16-06, Support for Children's Education and Health Care Protection Act

Ms. Key noted that the passage of Proposition 30 in 2012 prevented further revenue cuts to school districts. This was implemented during the recession. Now that the economy is recovering, extending Prop 30 would allow the level of distributions to districts to remain the same. Since our County Office is in "hold harmless", we would not be affected; however, if school district budgets were reduced, districts would have less funds to purchase our services.

Ms. Ulrich moved the Board adopt Resolution 16-06, Support for Children's Education and Health Care Protection Act. Dr. Lisagor seconded the motion for further discussion.

Dr. Flores noted that Prop 30 only keeps districts at the level of funding provided in 2007.

Mr. Kunicki indicated that he would rather see legislators work within the existing budget than add additional taxes.

After further discussion, the motion carried upon a 3:2 vote; with Ms. Ulrich, Dr. Flores and Dr. Lisagor voting aye; and Mr. Bates and Mr. Kunicki voting nay.

6. Discussion of Electronic Board Agendas (BoardDocs)

Mr. Bates indicated that he believes that Board members should have the option of viewing the agenda on paper or electronically. He finds it difficult to study the materials on the computer. Mr. Mantooth noted that this system also allows the Office to store content electronically and to save staff time. Board packets could be printed for those Board members who request them; however, the pages would need to be in landscape format rather than grouping for landscape / portrait printing.

M. BOARD MEMBER COMMENTS

None.

N. FUTURE AGENDA ITEMS

None.

O. FUTURE MEETINGS

Mr. Mantooth noted that the Office has received requests for three interdistrict attendance appeals.

Date: Monday, July 25, 2016
Time: 6:00 p.m.
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Regular Meeting of the Board

Date: Monday, August 22, 2016
Time: 6:00 p.m.
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Regular Meeting of the Board

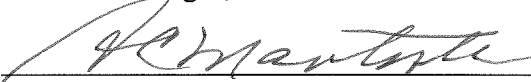
P. **ADJOURNMENT**

Dr. Lisagor adjourned the meeting at 7:15 p.m.

7/25/16
Date


Dr. Mark Lisagor, Board President

7/25/16
Date


Stan Mantooth, Ex-Officio Secretary and
Executive Officer of the Board

*Board meetings are recorded by audio tape pursuant to Government Code Section 54953.5(b).
Copies of these audio tapes are available by request to this office at (805) 383-1900.*