

**VENTURA COUNTY BOARD OF EDUCATION
MINUTES OF REGULAR MEETING OF
JUNE 19, 2017**

A. CALL TO ORDER

1. Call to Order, Pledge of Allegiance to the Flag, and Moment of Reflection
The Regular Meeting of the Ventura County Board of Education, Agenda 17-07, was called to order by Dr. Ramon Flores, Board President at 6:00 p.m. on Monday, June 19, 2017, 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. Flores, followed by a moment of reflection.
2. Roll Call
Trustees Present:
Rachel Ulrich, Area 1
Marty Bates, Area 2
Dr. Mark Lisagor, Area 3
Dr. Ramon Flores, Area 5
Dean Kunicki, Area 4 – *Absent*

VCOE Personnel Present:
Dr. Roger Rice, Deputy Superintendent, Student Programs and Services
Misty Key, Associate Superintendent, Fiscal and Administrative Services
Dr. Antonio Castro, Associate Superintendent, Educational Services
Mary Samples, Assistant Superintendent, SELPA
Kenny Loo, Principal, Court & Community Schools
Richard Urias, Director, Charter School Support & Oversight
Nancy Akkerman, Senior Executive Assistant
3. Approval of Agenda
Dr. Lisagor moved the agenda be approved. Ms. Ulrich seconded the motion, and the motion carried unanimously (4:0). Mr. Kunicki was absent.

B. PUBLIC COMMENTS

None.

C. HEARINGS

D. CLOSED SESSION

E. PRELIMINARY

1. Approval of Minutes of Regular Meeting of May 22, 2017
Ms. Ulrich moved the Minutes of the Regular Meeting of May 22, 2017 be approved. Dr. Lisagor seconded the motion, and the motion carried 3:0:1; with Dr. Flores, Ms. Ulrich, and Dr. Lisagor voting aye and Mr. Bates abstaining.

F. CORRESPONDENCE

1. Anonymous Letter dated May 18, 2017. *NOTE: Letter was forwarded to appropriate School District as it does not fall under the authority of the County Board. Due to sensitive content, letter has been redacted.*

G. PRESIDENT'S AND BOARD MEMBERS' REPORTS

1. Dr. Lisagor reported that he attended the ACE Charter High School and Gateway graduations and the Teacher Culmination. Dr. Flores attended all as well.
2. Dr. Flores reported that he too attended the ACE Charter High School and Gateway graduations as well as the Phoenix High School and Boswell graduations and two Providence graduations.
3. Mr. Bates reported he is glad to be back.
4. Ms. Ulrich reported that she attended the Phoenix graduation and a Providence graduation. The CCBE Planning Team continues to finalize the CCBE Fall Conference.
5. Dr. Rice reviewed the Upcoming Events and announcing that reservations are now open for the CSBA Annual Conference, November 30 – December 2, in San Diego. Board Trustees are encouraged to contact the office if they plan to attend.

H. SUPERINTENDENT'S REPORT

None.

I. LEGISLATIVE REPORT

None.

J. CONSENT/ACTION

1. Phoenix Airport School Modernization Phase II Bid Award
Administration recommends awarding Bid 2017-4 Phoenix Airport School Modernization, Phase II project to EJS Construction for a total award amount of \$307,900.

Dr. Lisagor moved that Consent Item 1 be approved. Ms. Ulrich seconded the motion for discussion. Ms. Ulrich asked why one of the bidders did not submit a bid. Dr. Rice responded that contractors are currently very busy and it is getting harder to get bids submitted for projects. The motion carried upon a unanimous vote (4:0).

K. PRESENTATIONS

None.

L. DISCUSSION/INFORMATION/ACTION

1. Options for Youth Charter School Petition Appeal
 - a. PUBLIC HEARING on Options for Youth Charter School Petition Appeal
Dr. Flores opened the PUBLIC HEARING on the Options for Youth Charter School Petition Appeal at 6:07 p.m.

The following members of the public addressed the Board, speaking in support of the Options for Youth Charter School Petition.

Stacey Roth
Lisa Bennett
Aimee Brown
Jorge Renteria
Scott Dornbos
Jennifer Lewis
John Barnett
Laura Munoz

Hearing no further comments, Dr. Flores closed the Public Hearing at 6:30 p.m.

b. Presentation by Representatives of Options for Youth Charter School and Affected School Districts

Representatives of the Options for Youth Charter School provided an overview of the charter school petition.

Options for Youth (OFY) and Opportunities for Learning (OFL) are sister schools that offer identical programs. Their mission is to create an educational choice for all students – to empower and inspire students to achieve their goals. OFY/OFL is currently approved through a School District in Los Angeles County which allows them to operate two learning centers in Ventura County – one in Oxnard and one in Simi Valley. The Oxnard Center currently serves 180-200 at-risk students. Students participate in the CEC program.

The Pathways Management Group provides a complete suite of services including Human Resources; Fiscal Management, Finance team, purchasing, assistance with compliance issues, and they furnish and maintain the charter schools. The Pathways Management Group will also provide a \$350,000 loan to OFY Oxnard (with a 1.13% interest rate) to fund startup costs for furniture, and salaries during the first year of operation.

Student demographics were reviewed. 34% of students are at least one year behind in credits; 48% of students are Hispanic; 16% of students are classified as ELL and Special Education. OFY is in the process of implementing a Parent Advisory Committee to work with school leadership. A recent survey indicates that parents are 98% satisfied. The school has received a 6 year WASC accreditation.

Program Components include socioemotional and experiential learning. A highlight of the curriculum includes education trips, which are free to students, to Colorado, Northern California, and Europe. Character education is stressed on these trips. Sports and groups are also important.

Special Education and ELL students are supported through StarRenaissance which is utilized to assist with reading skills. ELLs are highly supported through a sheltered program and language skills independent study. Reclassification celebrations are held. Online assessments are 100% implemented.

Post Secondary support is provided through a full A-G course list, College Cohorts and CTE job preparation. 93% of graduates have committed to post secondary education.

- c. Staff Analysis of Charter Petition for Options for Youth Charter School
Dr. Rice distributed a packet of information submitted anonymously. Information provided by the petitioners in response to the matrix was also distributed. Dr. Rice remarked that this charter school petition was presented to the Board on appeal, therefore the Board is only responsible for the review of the charter petition as submitted. Additional materials do not need to be considered. Mr. Urias stated that the documents submitted have not been reviewed by staff.

Opportunities for Learning operates in Simi Valley and Oxnard through its approval Baldwin Park Unified in LA County. Those two facilities are located in Ventura County legally. As part of the charter with Baldwin Park Unified, the Oxnard facility is slated to be closed while the center in Simi Valley will continue to operate independent of this Board's decision.

Mr. Urias stated that the charter petition *sufficiently meets* many of the required elements including:

Admission Requirements
Financial Audit, Facilities
Financial and Organizational Accountability
Health and Safety Procedures.

In the charter petition, the *areas that are substantially insufficient* include:

Element A – Educational Program

The petition states that the school will serve 200 students in grades 7-12 but also states that nothing shall preclude the charter school from offering a traditional program to all grade levels. There are no information on how technology skills will be taught. This is not indicative of 21st Century learning. The OFY LCAP actions/services in each goal do not clearly identify supplemental services to upduplicate students. Socio-emotional counseling would be an example. Many of the actions/services are identical in multiple goals. The fact that the school states it is working with at-risk and high-risk students yet only 8% are ELL as compared to 17% is OUHSD; does not show a disparate number of students.

Element D - Governance Structure.

Their Board consists of three members who are appointed by the corporation and are not local, nor elected. They are appointed with no local input. The bylaws are extremely inconsistent with the Brown Act, although the charter school has responded that their Board would pursue following the Brown Act.

Element V – Financial Plan

As reviewed by OUHSD, there were many issues with the financial plan, including a start up budget which lacks detail. OFY has submitted additional information regarding their financial plan which staff is reviewing to determine how assets moving from OFL to OFY are accounted for in the start up budget.

The management group fees (15% of revenue) and the Purchasing Services Fee (2.5% of revenue) are very high. Most of these same services are provided by Business Services for a fee of 6.5%. The year one Management Fee would be approximately \$352,000 for a school of 200 students. That this amount of money is going to a management organization that is outside of the County with no local representation is concerning. The budget shows no expenditures for special education and legal fees are only budgeted at \$1000 annually. There is no line item for a school psychologist, although a school psychologist addressed the Board tonight.

Element W – Special Education Plan

OFY did not identify a SELPA. There is no clear detail on who is responsible for special education services. The budget shows excess costs for special education students but SELPAs do not have a year one revenue for charter schools.

Subsequent to the review being completed by staff, petitioners submitted a revised start up budget which includes Special Education, but the scope and nature of the changes are substantial.

Board Questions/Comments:

Ms. Ulrich noted that the Pathways Management Group not only receives a combined fee of 17.5% of revenue but also would be the loan provider, collecting interest.

Dr. Flores questioned the governance structure and stated his concern regarding the LCAP. A locally elected school district board approves the district's LCAP which then is sent to the County Office of Education for approval. The Charter School LCAP only has to be approved by the Board which is appointed and not local.

OFY representatives noted that a charter school only has a five year contract and the authorizer has the option to close a charter school at the end of that period. The bylaws are being revised to possibly include maintaining local boards with local community members. Board members would be elected by other members of the Board and would serve one year terms.

Dr. Lisagor asked about the Pathways Management Group, the OFL and OFY and their relationship to each other. He noted that they all have the same address. OFY representatives stated that they are related companies with boards that are independent of and from the charter board. Additionally, the relationship lends itself to a strong commitment to the charter schools as demonstrated by lending start up money to the charter school at a very low interest rate. The Management Group is a vendor for services.

Ms. Ulrich noted that the State of California does provide start up grants. Mr. Urias noted that the loan is only a two year loan; then it no longer appears in the budget. Mr. Bates noted that the Management Group is a 501(3)(c). If the charter cannot make their loan payments, they would have to renegotiate the terms of the loan.

Mr. Bates stated his concern with the lack of tie to Ventura County. The VCOE monitors charter schools very closely. The students are from Ventura County. Dr. Rice noted that if the charter school were to be non-renewed or if revocation were necessary, it would apply just as it does to other charters.

Mr. Urias stated his concern that Options for Youth California will appoint the board members of OFY Oxnard. Those same Board members serve on all the charter school boards. OFY California Board has a role in the Management Group as well. It has been a concern that the Hall Family holds sway over these corporations. For those students that aren't finding success would they have been successful if the money had remained in the county. Mr. Bates noted that he too is concerned about the lack of local representation.

Dr. Lisagor asked about WASC accreditation. It was clarified that the WASC accreditation is for the OFY in Baldwin Park and the two resource centers. If the Oxnard center closes and the Simi Valley center remains open, can it serve all the students; however, the Oxnard Center serves 1400 – 1800 students in the summer school program.

Dr. Lisagor asked about the low number of ELL and Special Education students. OFY responded that they don't typically recruit students. They are here to partner with the local school districts. The demographic information is provided by the parents upon enrollment. The students are at risk of not graduating and now need educational support.

Mr. Urias noted that at-risk populations in Ventura County are often Hispanic, Special Education and ELLs. It raises a question when there are fewer percentages of these subgroups of students.

Ms. Ulrich noted that the median income of OFY students is \$22,000 per year. Does OFY provide lunch? OFY stated that lunch is not provided. Most courses are offered on line. They do offer chromebooks as needed. Online courses are offered only if needed. One of the highlights of their program is Lower student to teacher ratio.

Dr. Flores asked about OFY's plan for special education. OFY responded that they would apply to the Ventura County SELPA and others, first as a school within a district. Typically, they apply to multiple SELPAs and determine which is the best match. Ms. Samples noted that while there is no additional cost to join the SELPA, there is no revenue in the first year.

Dr. Lisagor asked how special education students are currently being served. There is a school psychologist and online courses are offered. OFY is currently chartered with Baldwin Park and they have a cooperative relationship with the current SELPA. Mr. Urias noted that the new budget submitted included a new teacher for Special Education but it did not include the cost of an occupational therapist.

Dr. Rice noted that OFY has prepared a response to the initial denial by OUHSD. Historically, the Board has not allowed additional input to the charter petition submitted on appeal; however staff has reviewed the revised budget. It is still problematic in the first year. The Management Group charges are \$500,000 for a 200 student site. This was also a point of concern during the Fiscal Review.

OYF noted that they are proposing a charter school that has been a existing center for 6 years. It is financially stable. The budget includes an assumption that AB602 monies offset the special education encroachment. The management fees include an assumption of 2.5% for curriculum, and some for curriculum and instruction services. Ms. Samples noted that the encroachment statewide is 62%.

Dr. Flores noted that this item was presented for information only. It is anticipated that it is anticipated that the Board will take action at its June 26, 2017 meeting.

2. Public Hearing on Ventura County Office of Education Local Control Accountability Plan (VCOE LCAP)

- a. Dr. Flores opened the PUBLIC HEARING on the VCOE LCAP at 8:03 p.m. Hearing no Public Comments, Dr. Flores closed the PUBLIC HEARING at 8:04 p.m.

Dr. Rice noted that the goals and areas of strong and future growth have not changed since the last presentation. The most up to date information is still being added. The budget still needs to be finalized. Dr. Rice highlighted the matrix that is used for data collection.

Ms. Ulrich noticed that there are now three Foster Youth facilitators who will address foster youth transportation and the new data portal. Dr. Rice confirmed that new Title IV funding allowed for the addition of another facilitator has been added. Services to the districts will be expanded. In addition, the State has reopened a Homeless Education Grant which will provide \$22,000 to each COE. Our office is in the process of reapplying for these grant funds.

This information was presented information only. The Board will take action on the VCOE LCAP on June 26, 2017.

3. Public Hearing on the 2017-18 County Schools Service Fund Budget

- a. Dr. Flores opened the PUBLIC HEARING on the 2017-18 County Schools Service Fund Budget at 8:13 p.m. Hearing no Public Comments, Dr. Flores closed the PUBLIC HEARING at 8:14 p.m.

Ms. Key noted that there is little new detail from the budget presented during the budget study sessions. VCOE will start the 17-18 year with \$36 million. The decrease in CEC balance is due to the ending of the various Pathways grants. Districts will begin supporting the CEC by purchasing services with their LCFF funds.

Page 7 shows \$108 million in revenue received. Page 8 details expenditures by departments and types of expenditures. It was noted that salaries and benefits account for 64% of expenditures. This is average for a County Office of Education. \$6 million in transportation funding flows through to the local school district, as does the cost of district employees that we employ and then have the district pay for. 31% of expenditures are for these types of services.

VCOE continues to pay for facilities with one time expenditures. In 16-17, the Office invested heavily in upgrading school sites. The Office does not anticipate having these funds in 17-18.

Page 34 - General Administration. Ms. Key noted the interfund transfer of \$12,773,568. This was the transfer for the debt repayment.

Fund 170 - Retiree Benefit Fund. \$1,000,000 has been transferred here to pay off the COP. It will be called the Fund Restoration. The \$12 million is shown on page 41. This fund will be used to pay off the debt services from Fund 560.

This item is presented for information and discussion only. Adoption of the 2017-18 County Schools Service Fund Budget is scheduled for June 26, 2017.

4. Adoption of Textbooks for County-Operated Schools

Dr. Rice noted that a committee comprised of VCOE administrators and County Operated Schools teachers gave a presentation on the proposed standards based ELA/ELD curriculum and textbooks for Kindergarten through High School for Gateway, Phoenix, Triton Academy and Foster Schools. These materials reflect state approved texts and are aligned to the California Common Core Standards. The following ELA/ELD textbooks are recommended for adoption:

*Elementary (Phoenix, Triton, Foster): **McGraw Hill: California Wonders connected ELA/ELD Program grades K-6***

*Middle School (Providence, Gateway, Phoenix, Triton, Foster): **McGraw Hill: California StudySync comprehensive ELA and Designated ELD grades 6-8***

*High School (Providence, Gateway, Phoenix, Triton): **Pearson Prentice Hall: myPerspectives and ELD Companion for grades 9-12***

*Additionally it is recommended to continue **Character Based Literacy (CBL) grades 6–12** as supplemental literacy program to meet the diverse learning needs of our students.*

Dr. Lisagor moved the Board adopt the listed textbooks for County-Operated Schools. Ms. Ulrich seconded the motion, and it carried upon a unanimous vote (4:0).

5. Approval of Resolution 17-01, Board Trustee Compensation for Missed Meetings

In order for Mr. Bates to receive compensation for the meetings he was unable to attend due to his injury - April 12, April 24, May 12 or May 22, 2017 – the Board must adopt a resolution approving the reason as a hardship for the member. Dr. Lisagor moved the Board adopt Resolution 17-01, Board Trustee Compensation for Missed Meetings, approving compensation for Mr. Bates for meetings held in April and May, 2017. Ms. Ulrich seconded the motion, and it carried upon a unanimous vote (4:0).

M. BOARD MEMBER COMMENTS

1. Ms. Ulrich thanked Mr. Urias for his work on the Charter School petition.
2. Dr. Flores noted that the Board questions were very professional throughout a difficult conversation.

N. FUTURE AGENDA ITEMS

1. Options for Youth Charter School Decision (*June 26, 2017*)
2. Budget and LCAP Adoption (*June 26, 2017*)
3. Adoption of Courses of Study (*June 26, 2017*)
4. Joint meeting with VCCCD (*TBD – September or later*)

O. FUTURE MEETINGS

Date: Monday, June 26, 2017 (*Adoption of LCAP and Budget*)
Time: 6:00 p.m.
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Regular Meeting of the Board

Date: Monday, July 24, 2017
Time: 6:00 p.m.
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Regular Meeting of the Board

P. ADJOURNMENT

Dr. Flores adjourned the meeting at 8:30 p.m.

Minutes Approved by Board Action on 6/26/17.

*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.*