

# VENTURA COUNTY BOARD OF EDUCATION

The Board Meeting will be held at the  
VCOE Conference & Educational Services Center  
Board Room  
5100 Adolfo Road, Camarillo  
(805) 383-1900

## REGULAR BOARD MEETING

### AGENDA NO. 09-02

Date: Monday, January 26, 2009

OPEN SESSION: 6:00 p.m. ±

Times are approximate and are provided for convenience only.  
Open Session items may be re-ordered.

Speaker requests will be accepted 5 minutes prior to the item coming up on the agenda.  
Adjournment will be no later than 9:00 p.m. (*Unless extended by Board Action*)

#### A. CALL TO ORDER

1. Pledge of Allegiance.  
Moment of Reflection.
2. Roll Call and Acknowledgment of Guests.
3. Approval of Agenda.

#### B. PUBLIC COMMENTS

#### C. HEARINGS

None.

#### D. CLOSED SESSION

None.

**E. PRELIMINARY**

- 1. Approval of Minutes of Regular Meeting of January 9, 2009.

**F. CORRESPONDENCE**

*(Correspondence addressed specifically to the Ventura County Board of Education. Correspondence addressed to individual Board members will be delivered/mailed to them directly.)*

- 1. E-mail from Dean Kunicki, dated January 9, 2009, 1:43 a.m., titled, “URGENT – Request ....” *The preceding e-mail was not opened until after the January 9, 2009 Board meeting which began at 8:00 a.m.*
- 2. E-mail from Harry Henderson, Anchor Consulting, dated January 8, 2009, 7:43 p.m., titled, “Government Relations Report.” *The preceding e-mail was not opened until after the January 9, 2009 Board meeting which began at 8:00 a.m.*
- 3. January 9, 2009 letters to Capitol Venture, LLC, and Anchor Consulting, LLC, regarding termination of contracts with the Ventura County Board of Education.
- 4. E-mail correspondence between Mrs. Peterson and Mr. Bates (cc’d to all Board members) regarding “Functions of a County Office of Education.”

**G. PRESIDENT’S AND BOARD MEMBERS’ REPORTS**

*(Reports by Board members regarding their individual activities affecting the Office pursuant to Govt. Code Sec. 54954.2(a)).*

- 1. Upcoming Events  
February 6, 9:00 am – 2:30 pm..... Board Visitations to VCOE Programs  
February 7, 3:00 pm..... Academic Decathlon, Super Quiz  
February 9, 6:00 pm..... Academic Decathlon, Awards  
February 23 & 24, 5:00 pm..... Mock Trial Competition, VC Govt Center  
February 24, 10:00 pm..... Mock Trial “Best Of” Awards  
February 26, 5:00 pm..... Mock Trial Competition  
February 26, 10:00 pm ..... Mock Trial Final Awards  
February 28, 8:00 a.m. – Noon ..... Brown Act Training  
March 26, 6:00 pm..... Ventura County Science Fair Awards  
March 30, 6:00 pm..... VCSBA Dinner Meeting, 6:00 p.m.

**H. SUPERINTENDENT’S REPORT**

*(The Superintendent will report on the activities of the Office and/or other pertinent issues in education.)*

**I. LEGISLATIVE REPORT**

*(Board Members, the Superintendent, and staff, may discuss current legislation of particular interest to the Ventura County schools.)*

## J. CONSENT/ACTION

1. Travel Expense Claim  
Administration recommends the Board approve the Superintendent's Travel Expense Claims for December 2008.
2. Temporary County Certificates  
Administration recommends the Board approve 108 Temporary Certificates issued by the County.
3. Williams and Valenzuela CAHSEE Lawsuit Settlement Quarterly Report to County Board of Education  
The Williams Coordinator for the Ventura County Office of Education presents the quarterly report for October 1, 2008 – December 31, 2008, which shows no complaints filed during this period.
4. Change Order No. 1 to GRD Construction for Power Requirements and Additional Painting at the Ventura County Office of Education, Conference & Educational Services Center, Unimproved Space  
Change Order No. 1, dated December 2, 2008, includes an additive change for labor and materials, in the amount of \$1,220, to provide and install three (3) new duplex outlets, and one (1) new data outlet in Meeting Rooms to meet program requirements in the unimproved space area. Item #2 on Change Order #1 is for GRD Construction to paint existing 20' x 8" concrete curb at second floor balcony. This change order includes no additional contract days. Administration recommends approval of Change Order No. 1 to GRD Construction.
5. Notice of Completion for GRD Construction, for the Conference & Educational Services Center Completion of Unimproved Space Project  
On January 9, 2009, the Project Manager for the Ventura County Office of Education, the Project Inspector and the Project Architect, reviewed the Conference & Educational Services Center Completion of Unimproved Space project and recognized that GRD Construction had achieved substantial completion. At this time, it would be appropriate to record a Notice of Completion that will begin the final period in which sub-contractors and material providers may submit stop notices prior to retention release. The Ventura County Office of Education will continue to withhold an amount of GRD Constructions' final payment until all punch list and other remaining contract items are completed. Administration recommends the Board authorize staff to record a Notice of Completion for GRD Construction for the Conference & Educational Services Center Completion of Unimproved Space project.

**K. PRESENTATIONS**

None.

**L. DISCUSSION/INFORMATION/ACTION**

1. Recap on Governor's Budget Proposals and State Legislative Special Session – INFORMATION / DISCUSSION (15 minutes)  
Staff will provide information received pertaining to the Governor's Budget proposals and the State Legislative Special Session. In addition, staff will review the budget study session process utilized by the Ventura County Office of Education in presenting the 2009-2010 County Schools Services Fund.
2. 2008-09 Consolidated Application for Funding Categorical Programs, Part 2 – INFORMATION / ACTION (5 minutes)  
The 2008-09 Consolidated Application for Funding Categorical Programs, Part 1, was approved by the Board on June 30, 2008. As with Part 1, Part 2 lists the sources of categorical funding that VCOE schools will use to provide programs and services, specified in the No Child Left Behind Act, to its students in 2008-09. The Consolidated Application will be submitted electronically to the California State Department of Education upon approval. Administration recommends that the Board approve the 2008-09 Consolidated Application for Funding Categorical Programs, Part 2.
3. Review of Regional Occupational Program Courses of Study – INFORMATION / DISCUSSION (15 minutes)  
The Regional Occupational Program Courses of Study are presented for the Board's review and requested adoption on February 23, 2009. Per Board Policy No. 6143, these courses of study conform to the county graduation requirements, and provide students the opportunity to attain skills appropriate for entry-level employment in business and industry upon graduation from high school. Copies of the Regional Occupational Program Courses of Study will be available for review in the Ventura County Office of Education, Conference & Educational Services Center, Library / Learning Resource Display Center, 5100 Adolfo Road, Camarillo, beginning January 23, 2009, and continuing through an anticipated adoption on February 23, 2009. The Board and general public are encouraged to view these items.
4. Approval of Regional Occupational Program Labor Market Report – DISCUSSION / ACTION (15 minutes)  
Education Code 52302.3 requires that every career technical course or program offered by a Regional Occupational Centers/Program (ROCP) be reviewed every two years by the Governing Board to assure that each course meets a documented labor demand. The California Department of Education developed a course review process which requires that each ROCP complete the ROCP Course

Review Form C – Labor Market; and ROCP Course Review Form D – Standards and Certifications. Staff has completed their study of labor market information, and the results are contained on Form C. Administration recommends the Board approve the ROCP Course Review Form C – Labor Market; and ROCP Course Review Form D – Standards and Certifications; for the Ventura County Regional Occupational Program, and indicate that all courses contained on the form be continued.

5. Approval of Resolution No. 09-01, Behavioral Intervention Plans [Hughes Bill] Mandated Cost Claim Settlement and Waiving Rights to File any Claim Regarding the Hughes Bill Statute and Regulations in the Future – INFORMATION / ACTION (10 minutes)

In Resolution No. 09-01, the Board (1) approves the settlement which will bring the Ventura County Office of Education approximately \$35.056558 per December 2007 County Special Education pupil count in 2009-10, for a total of \$19,596.62, and approximately \$10.924857 per ADA for the SELPA, as part of the AB602 funding formula, beginning in 2009-2010, and increasing by COLA and ADA growth in subsequent years; (2) agrees to waive its ability to file future mandated cost claims on the Hughes Bill statute and regulations as currently worded; and (3) directs the Ventura County Office of Education’s authorized representative to sign the Waiver to implement this action.

The Behavioral Intervention Plans [Hughes Bill] Mandated Cost Claim Settlement settles the test claim CSM-4464 initiated by the San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education, and the related Sacramento Superior Court case, case No. 03CS01432, regarding reimbursement for costs associated with behavioral intervention plans required by the Hughes Bill statute and regulations under state law. If approved, it ends a 14 year dispute with the State of California regarding funding for state behavioral intervention plan requirements that are in excess of federal law. The settlement provides \$520 million in reimbursement for past costs associated with behavioral intervention plans and \$65 million annually for ongoing costs. The Legislature’s obligation to fund the settlement is contingent on 85% of all districts, county offices of education, and special education local plan areas constituting 92% of statewide ADA waiving their rights to file additional mandated cost claims on the current Hughes Bill statute and regulations. Administration recommends the Board adopt Resolution No. 09-01 as presented.

6. First Reading and Possible Adoption of Board Policy 6142.7, Physical Education – INFORMATION / ACTION (5 minutes)

Board Policy No. 6142.7, Physical Education, is presented for a first reading and possible adoption.

7. Facilities Update – INFORMATION (10 minutes)  
Staff will provide an update on the utilization of office space and staff relocations at the ASC and CESC buildings.
8. Request for Issues to be Addressed through State Legislation – DISCUSSION / ACTION (10 minutes)  
On January 13, 2009, the Board received correspondence from Assemblymember Audra Strickland requesting any suggestions for local issues that the Board feels need to be addressed through State legislation. The deadline to submit requests to the Legislative Counsel to draft bill language is Friday, January 30, 2009. The Board will discuss any possible issues and determine whether the issues will be forwarded to Assemblymember Strickland and other local legislators for possible action.
9. Scheduling of Special Board Meeting for Board Retreat and Goal Setting Study Session – DISCUSSION / ACTION (10 minutes)  
Per the request of the Board President, the Board will hold a Retreat and Goal Setting Study session. The Board will determine whether to schedule a Special Meeting on Monday, February 23, 2009, 3:00 – 6:00 p.m., as part of the regular evening meeting, but begin at 5:00 p.m. on that date, for the Board Retreat and Goal Setting Study Session.
10. Review of Board Travel Expenditures to Date – DISCUSSION / INFORMATION (5 minutes)  
In accordance with Board Policy No. 9250, the Board's travel expenditures for 2008-09 are presented for information and discussion.
11. Board Legal Counsel Statement for Services – INFORMATION (5 minutes)  
Statements provided by Mr. Henry Kraft, Board Legal Counsel, for services rendered during November and December 2008, including general educational issues, and Fillmore Unified School District litigation, are presented for the Board's information

#### **M. BOARD MEMBER COMMENTS**

*(Government Code Section 54954.2(a) states: "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.")*

**N. FUTURE AGENDA ITEMS**

*(Per Board Policy 9320, the Superintendent [as Ex-Officio Secretary of the Board], in conjunction with the Board President, shall prepare the Agenda for each regular and special meeting of the Board. Board members may request items be placed on the agenda by notifying the Superintendent of the request at least 12 days prior to the date of the next scheduled meeting. The Superintendent and the Board President shall review the requested agenda items and determine the items to be placed on the agenda. Any requested agenda item not placed on the agenda by the Superintendent and Board President may be brought to the next Board meeting. The majority vote of the Board shall determine if the item will be placed on a future agenda.)*

1. Discussion of School District of Choice (TBD).
2. Review of Board Legal Counsel Contract (Requested by Dr. Lisagor, TBD).

**O. FUTURE MEETINGS**

Date: ***Thursday, February 12, 2009 (Budget Study Session)***  
Time: 8:00 a.m.  
Location: 5100 Adolfo Road, Board Room, Camarillo  
Purpose: Regular Meeting of the Board

Date: Monday, February 23, 2009  
Time: 6:00 p.m.  
Location: 5100 Adolfo Road, Board Room, Camarillo  
Purpose: Regular Meeting of the Board

Date: Friday, March 13, 2009 *(Budget Study Session)*  
Time: 8:00 a.m.  
Location: 5100 Adolfo Road, Board Room, Camarillo  
Purpose: Regular Meeting of the Board

Date: Monday, March 23, 2009  
Time: 6:00 p.m.  
Location: 5100 Adolfo Road, Board Room, Camarillo  
Purpose: Regular Meeting of the Board

**P. ADJOURNMENT**

Board meetings are recorded by audio tape pursuant to Government Code Section 54953.5(b). Auxiliary aids and services include a wide range of services and devices that promote effective communication for individuals with disabilities. If you require such assistance, please notify this office at (805) 383-1900 as soon as possible or ***at least 48 hours prior to any meeting.*** We will make every effort to give primary consideration to expressed preferences or provide equally effective means of communication to ensure equal access to Ventura County Office of Education programs and events.

The agenda is posted for minimum of 72 contiguous hours prior to Board meeting dates at the entrance to the Ventura County Office of Education, Conference & Educational Services Center, 5100 Adolfo Way, Camarillo. A full agenda packet, with explanatory materials, is available for public review at this location. The agenda is also posted at the following locations, and on the Internet at <http://www.vcoe.org>.

1. Conejo Valley Unified School District, 1400 E. Janss Road, Thousand Oaks
2. Ojai Unified School District, 414 E. Ojai Avenue, Ojai
3. Oxnard School District, 1051 S. A Street, Oxnard
4. Santa Paula School District, 201 S. Steckel Drive, Santa Paula
5. Simi Valley Unified School District, 875 E. Cochran Street, Simi Valley
6. Ventura Unified School District, 255 West Stanley Avenue, Ventura

Copies of specific explanatory materials can be requested by contacting the office at (805) 383-1900.