

**VENTURA COUNTY BOARD OF EDUCATION  
MINUTES OF REGULAR MEETING OF  
January 23, 2006**

**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 No. 06-02, was called to order by Mr. Marty Bates, President, at 6:00 p.m. on Monday, January 23, 2006, in the Conejo Room of the Administrative Services Center, 5189 Verdugo Way, Camarillo. The Pledge of Allegiance to the Flag was led by Mr. Bates and followed by a moment of reflection.
  
2. Roll Call  
Trustees Present:  
Mary Louise Peterson, Area 1  
Marty Bates, Area 2  
Dean Kunicki, Area 4  
Ron Matthews, Area 5  
Chris Valenzano, Area 3 – *Absent due to Military Deployment*  
  
VCSSO Personnel Present:  
Stan Mantooth, Associate Superintendent, Administrative Services  
Nancy Manley, Executive Assistant to Dr. Weis  
Dr. Cary Dritz, Associate Superintendent, Student Services  
Poul Hanson, Director, Facilities  
  
*Mr. Mantooth reported that Dr. Weis was unable to attend tonight, as he is attending the CCSESA Quarterly meeting in Monterey.*
  
3. Approval of Agenda  
Mr. Matthews moved the agenda be approved. Mr. Kunicki seconded the motion, and it carried 4:0.

**B. PUBLIC COMMENTS**

1. *Mr. Carl Olson, Woodland Hills*  
Mr. Olson requested that the County Board adopt a resolution to improve the accuracy of textbooks. Mr. Olson also distributed a letter requesting the Board place on its agenda the topic of speeding up school building construction.

Mr. Olson stated that the cost of construction projects could be reduced if there was an increase in the State Architect's staff. This would reduce the delays that are currently resulting in additional costs for construction. Mr. Olson requested that the Board coordinate a lobbying effort, in conjunction with the school districts in the county, to bring about needed reform in this area.

Mr. Bates suggested that Mrs. Peterson carry this letter to the CCBE for a possible Statewide lobbying effort. Mr. Kunicki stated that many of these same delays are experienced by the private sector.

**C. HEARINGS**

None.

**D. CLOSED SESSION**

None.

**E. PRELIMINARY**

1. Approval of Minutes of Organizational Meeting of December 12, 2005.
2. Approval of Minutes of Special Meeting of December 28, 2005.

Mrs. Peterson requested the following changes be made to the minutes of the Organizational Meeting of December 12, 2005: Agenda Item L.1, 3<sup>rd</sup> paragraph, insert "student" before turnover; and "She also ~~questioned~~ asked".

Mrs. Peterson moved the Minutes of the Organizational Meeting of December 12, 2005 be approved as amended, and that the Minutes of the Special Meeting of December 28, 2005 be approved as presented. Mr. Matthews seconded the motion, and it carried 4:0.

**F. CORRESPONDENCE**

The following correspondence was included in the Board packet:

1. Letter from Oxnard School District inviting Board members to serve as readers in recognition of Dr. Seuss' Birthday.

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

1. Mr. Bates distributed a copy of a letter that he wrote to Oak Park School District requesting time to make a presentation on the County Board of Education. He is scheduled to make presentations to the Conejo Valley School District and Oak Park School Districts. Mr. Bates encouraged Board members to limit this presentation to 15 minutes.

2. Mr. Mantooth distributed copies of the Schedule of Events and Hotel Reservations for the CCBE/PTA/CCSESA Annual Spring Conference to be held in Sacramento on March 18-20, 2006. CCBE will be mailing conference packets to Board members next week. Mr. Mantooth asked for an indication of which Board members plan to attend this conference, in order for hotel reservations to be made. Mrs. Peterson and Mr. Matthews stated that they plan to attend. Mr. Bates will not.

#### **H. SUPERINTENDENT'S REPORT**

1. As requested, Mr. Mantooth distributed a report on the expenditures of the County Committee on School District Organization to date. Mr. Kunicki requested that a copy be sent to the Board's legal counsel.

#### **I. LEGISLATIVE REPORT**

None.

#### **J. CONSENT/ACTION**

Mr. Kunicki asked that Consent Item 3 be pulled for discussion.

1. Temporary Certificates
2. Disposal of Property

Mr. Matthews moved that Consent Items 1 & 2 be approved. Mrs. Peterson seconded the motion, and it carried 4:0.

3. Travel Expense Claim

Mr. Kunicki asked the purpose of Dr. Weis' trip to England. Mr. Mantooth indicated that Dr. Weis took this trip at the invitation of CLU to research educational programs in England. Dr. Dritz indicated that the standards-based, evaluative, summative assessments being implemented by the Community School and utilized by the Special Education programs, have been successful in the education system in England. Mr. Mantooth noted that the expenses listed are noted as being reimbursable by CLU.

Mrs. Peterson moved that Consent Item 3 be approved. Mr. Matthews seconded the motion, and it carried 4:0.

#### **K. PRESENTATIONS**

None.

## L. DISCUSSION/INFORMATION/ACTION

### 1. Allocation of Federal Forest Reserve Funds

Mr. Mantooth reported that the revenue for the Federal Forest Reserve Receipts has been received. The total for Ventura County is \$68,107. Fifty percent (50%) of these funds remain with the county government road department. The remainder is distributed to school districts that are within or adjacent to federal forests. A formula, established several years ago, prorates these receipts as follows:

15% to the County School Service Fund (\$5,108)

$\frac{2}{3}$  of the remaining 85% to Fillmore Unified School District (\$19,296)

$\frac{1}{3}$  of the remaining 85% to Ojai Unified School District (\$9,649)

Mr. Kunicki moved the Board approve the Allocation of Federal Forest Reserve funds as presented. Mrs. Peterson seconded the motion, and it carried 4:0.

### 2. Change Order No. 2 to Viola Constructors for Construction of the Ventura County Office of Education, Conference & Educational Services Center

Mr. Mantooth presented Change Order No. 2, dated January 3, 2006. The change order includes a net deduct of \$88,400 and a number of small increases. This change order also includes an increase of 13 days in contract time due to moist conditions in October 2005. Mr. Kunicki moved the Board approve Change Order No. 2 to Viola Constructors. Mr. Matthews seconded the motion, and it carried 4:0.

### 3. Statement of Support for Continued Work of Ventura County Committee on School District Organization on Camarillo Unification Petition

Mr. Bates distributed a copy of the contract with Terry Filliman, of Atkinson, Andelson, Loya, Ruud & Romo. Mr. Kunicki reported on the conference call he and Mr. Bates had with Mr. Filliman. The contract was discussed and amended. In addition, the Ventura County Committee on School District Organization was discussed and a better understanding of what the Board can and cannot do with regard to the County Committee was gained. Mr. Filliman reviewed the information gathered thus far and had discussions with the other attorneys involved.

Mrs. Peterson asked if the 120 day timeline requirement was discussed. Mr. Bates stated that it seems that the State Board of Education, the SBE staff and SBE attorney, see AB780 as not "having teeth." The application submitted by the Board probably will be approved, but it will take a long time. The SBE is delaying all of these items for up to two years. Mr. Bates stated that the State Board of Education has slowed or stopped processing major reorganizations because of a lawsuit being presented in Centinela Valley which claims that the SBE's CEQA process for district reorganization is flawed. The issue of whether or not CEQA is required has not been resolved.

Mr. Bates stated that there are two major unification proposals scheduled to come before the SBE in March 2006, and additional unification proposals are still in line before the Camarillo Unification petition. Mr. Filliman questioned whether the time and expense from the second unification proposal and process will ultimately result in a difference in timeline or result at the State Board level. In addition, the SBE will consider itself the lead agency in the unification proposal pending before them at this time, which may again raise the question of the CEQA requirement. If the SBE approves the petition, any litigation is the responsibility of the SBE.

Mrs. Peterson distributed research she has done regarding the issue of race in Oxnard. She hoped this information would help Board members understand the history regarding this issue, and the feelings of many of the Oxnard residents.

Mr. Bates noted that Mr. Filliman encouraged the Board to continue the County Committee's work so this effort does not experience further delays. The Board therefore needs to re-review the budget for expenses of the County Committee. As stated in the agenda, the Board is concerned about funds being spent from the Board's budget without control. Mr. Bates asked that the Board consider how they are to approve future funds needed by the County Committee, possibly having each expenditure come before the Board for approval, or approving a budget in \$100,000 increments.

Mrs. Peterson indicated that the Board needs to ensure that those who are working under contract are doing the jobs they are asked to do. The Board should have a tight rein on how much is being spent and should receive a report on the progress being made by the County Committee. Mr. Kunicki asked if there is enough lead time for the County Committee to submit a request for an expenditure and receive approval from the Board, prior to entering into contracts. Mr. Mantooth indicated that in most cases the County Committee would have an opportunity to provide an estimate of the expenditures. Mr. Mantooth suggested that the Board's attorney give an opinion on the Board's approval authority, or lack of authority, over County Committee expenditures. Mr. Mantooth will provide any financial information the Board requests.

Mr. Mantooth addressed the CEQA issue. SB1836 (Daucher), is a proposed education facilities bill. This bill includes language that specifies that any action regarding school district reorganization shall not be considered a project under CEQA. This legislation would be an urgency measure. It is not known whether this bill would be applicable to the unification petition previously submitted. Mr. Mantooth suggested that the Board notify their attorney of this legislation. Mrs. Peterson stated that the Board could lobby in support of this legislation.

Mr. Mantooth stated that the County Committee has received a proposal from Impact Sciences to perform a review of the CEQA initial study and determine whether or not a negative declaration or EIR needs to be performed. The estimated cost would be \$13,500.

Mr. Kunicki asked if the cost of this study would be credited against any resulting CEQA report. Mr. Mantooth indicated that he does not have that information at this time. Mr. Kunicki indicated that he would suggest that the County Committee go ahead with the CEQA document without performing a review. This would save the time and money needed for the review. Mr. Mantooth anticipates a meeting of the County Committee in early February. He will also request an estimate from Impact Sciences as to the cost of an EIR. Mr. Bates requested that a cost estimate be presented to the Board before the County Committee took action on this.

Mr. Mantooth encouraged Board members to review the information on unification available on the website. All the reports, minutes of meetings, etc., are there.

Mr. Mantooth also reported that it would appear that this Board's counsel is recommending that this Board allow the County Committee more time to complete its work, but the Board has a petition request that was sent to the State Board of Education. If the petition request is honored, the Board is the County Committee as of that date, whether or not the current issue has been resolved. Mr. Mantooth asked how the Board is going to proceed with their petition.

Mr. Kunicki stated that the Board will not be withdrawing its petition, as it keeps that process moving while the County Committee works, providing a dual path. In addition, the petition letter was submitted as a letter to the State Board of Education. No supporting documentation was included to make the argument for disbanding the County Committee. Board's legal counsel advised that attachments be sent which support the Board's request. Mr. Bates stated that there is a 90-day deadline which will not start until all the information is submitted. Mr. Mantooth stated that according to Education Code, upon receipt of a petition of this type, the State Board of Education has 90 days to make this decision. The question is what constitutes receipt – the date of the State Board agenda, including the petition, or the date the State Board receives the letter. It was determined that the Board's counsel should draft supporting documents and submit them to the State Board of Education prior to the March meeting. Mr. Bates asked Mr. Kunicki to contact the attorney with this request.

The Board again stated that they are pursuing the transfer of duties to assume the responsibilities of the County Committee due to the management of the budgetary issues. It is not their intention to slow the process down, but to speed the process up.

No action was taken on this item.

4. Update on Governor's Budget Proposal

Mr. Mantooth presented information on the Governor's budget proposals for education in the 2006-07 State Budget.

Mr. Mantooth stated that the Governor's proposed budget funds COLA, enrollment growth, deficit reduction, equalization aid, mandates and new programs. There are huge mandate IOUs of over a billion dollars still remaining, as well as the maintenance factor for Prop 98 which is the subject of a lawsuit to settle a difference of \$3.2 billion. Last year's ending balance of \$7 billion is used to avoid cuts or to propose tax increases. This budget leaves the State with reserves of 0.06%. Revenues are up 4.4%, but expenditures are up 8.4%. It is not likely that the State will grow out of the problem. The proposals do not suggest a long term solution.

The Governor's Budget Proposal includes COLA of 5.18% for all County operated programs (COLA for categorical program funds can change). The combined effects of COLA, Deficit Reduction and Equalization are a 6.02% increase. This equals approximately \$950,000 in new money and \$100,000 in deficit reduction for VCOE programs.

New/Expanded Programs include School Enrichment Block Grant Program; Low Performing Schools, BTSA funding for 3rd year; K-8 Arts and Music Grants, Physical Education Grants for Elementary and Middle School; and Prop 49 before and after school programs of \$428 million. There is also one time federal funding for program improvement schools of \$81.9 million. It is projected that federal spending for education in general will be reduced in the future.

The following major assumptions are used by staff as they build the budget: Budgets accurately reflect anticipated health benefits cost increases; account for step and column adjustments which are automatic; project enrollments and staffing accurately; fully fund deferred maintenance contribution (State provides matching funds); maintain adequate reserves (2% required). Mr. Mantooth noted the issue of unfunded retiree benefits must also be addressed. It is anticipated that \$1 million contribution will be transferred to this fund later this year.

Additional external change issues that could affect the budget: Universal Preschool for All Initiative; CTA vs Schwarzenegger, Adequacy debate and movement (regarding student education) and a major infrastructure bond. The Governor has proposed a bond of \$9 billion for educational facilities on the June 2006 ballot.

Mr. Mantooth indicated that because this is an election year, the legislature may be reluctant to reduce the budget proposals. The statutory deadline for the Governor's approval of the budget is June 30, 2006.

This item was presented for information only.

**M. BOARD MEMBER COMMENTS**

1. Mr. Kunicki stated that Mr. Valenzano is setting a wonderful example for young people. He is young, politically active, has a moral compass, excellent character, and he has willingly met the commitment he had made when he was called for active service. Mr. Kunicki requested the Board send a letter or proclamation to Mr. Valenzano honoring him for his service. In addition, in his absence, the Board should keep the causes he was championing in mind.

Mr. Bates suggested that a personal letter from each Board member would be more appreciated, and that the Board could consider honoring Mr. Valenzano with a plaque when he returns.

2. Mr. Bates stated that Board members will be contacted regarding a possible special meeting during which a round table discussion of Board goals could be held. He would like this meeting to be held on a date when Mr. Valenzano could participate. No facilitator would be needed, however minutes should be taken, and the meeting should be recorded.
3. Mrs. Peterson suggested letters be sent to Mrs. Valenzano in support of her efforts.

**N. FUTURE AGENDA ITEMS**

1. Report or Suggested Action from Subcommittee to Research Establishing Task Force to Address County-Wide Gang Prevention and Rehabilitation/Recovery of Gang Members (TBD).
2. VCBE Visioning and Goal Setting, requested by Mrs. Peterson (March-April).

**O. FUTURE MEETING**

Date: Friday, February 10, 2006 (*Budget Study Session*)  
Time: 8:00 a.m.  
Location: 5189 Verdugo Way, Conejo Room, Camarillo  
Purpose: Regular Meeting of the Board

Date: Monday, February 27, 2006  
Time: 6:00 p.m.  
Location: 5189 Verdugo Way, Conejo Room, Camarillo  
Purpose: Regular Meeting of the Board

Date: Friday, March 10, 2006 (*Budget Study Session*)  
Time: 8:00 a.m.  
Location: 5189 Verdugo Way, Conejo Room, Camarillo  
Purpose: Regular Meeting of the Board

Date: Monday, March 27, 2006  
Time: 6:00 p.m.  
Location: 5189 Verdugo Way, Conejo Room, Camarillo  
Purpose: Regular Meeting of the Board

**P. ADJOURNMENT**

The meeting adjourned at 7:26 p.m.

***Approved by Board Action on 02/10/06.***

*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.*