

**VENTURA COUNTY BOARD OF EDUCATION  
MINUTES OF REGULAR MEETING OF  
JANUARY 26, 2009**

**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. 09-02, was called to order by Mrs. Mary Louise Peterson, Board President, at 6:03 p.m. on Monday, January 26, 2009, 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 Mrs. Peterson, followed by a moment of reflection.

2. Roll Call

Trustees Present:

Mary Louise Peterson, Area 1

Dr. Mark Lisagor, Area 3

Dr. Ramon Flores, Area 5

Marty Bates, Area 2 - *Absent*

Dean Kunicki, Area 4 - *Absent*

VCOE Personnel Present:

Stanley C. Mantooh, Ventura County Superintendent of Schools and Ex-Officio Secretary and Executive Officer of the Board

Ken Prosser, Associate Superintendent, Fiscal & Administrative Services

Dr. Roger Rice, Associate Superintendent, Student Services

Peggy Velarde, Director, Career and Technical Education

Nancy Manley, Executive Assistant to the County Superintendent

3. Approval of Agenda

Dr. Flores moved the agenda be approved. Dr. Lisagor seconded the motion, and it carried 3:0. Mr. Bates and Mr. Kunicki were absent.

**B. PUBLIC COMMENTS**

None.

**C. HEARINGS**

None.

**D. CLOSED SESSION**

None.

**E. PRELIMINARY**

1. Approval of Minutes of Regular Meeting of January 9, 2009.  
Dr. Lisagor requested the following change to Agenda Item G.6, page 3: clarification of the last sentence.

Dr. Flores requested a change to Agenda Item G.4, add the second event he attended as a meeting at the Rio School District where Dr. Flores and Dr. Lisagor swore in Rio School District Board members. Dr. Flores also noted that in Agenda Item M.2, page 6, 2<sup>nd</sup> sentence, the word “not” should be deleted.

Mrs. Peterson requested that each time a new board member speaks, that it be reflected with a new paragraph. She also requested that Dr. Flores’ comments on agenda item L.2 be included.

Dr. Lisagor moved the Minutes of the Regular Meeting of January 9, 2009, be approved as amended. Dr. Flores seconded the motion, and it carried 3:0.

**F. CORRESPONDENCE**

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.”

Mr. Mantooh distributed copies of e-mails from Mr. Bates and Mr. Kunicki indicating that neither would be attending tonight’s meeting.

Mr. Mantooh also distributed a letter from MATES Charter providing an update regarding the school site.

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

1. Mrs. Peterson reported that she spoke with Mr. Mantooth regarding how the Board will frame its meetings for the next few months. She will continue to stress effective communication.
2. Dr. Lisagor reported that he and Dr. Flores took part in School Board Visitations of Triton Academy, Phoenix, Gateway, and ROP. The dedication and commitment to teaching is overwhelming. The visits are very valuable.
3. Dr. Lisagor reported that he attended a P-16 Council meeting in December with an expanded group of stakeholders. The focus of the meeting was to develop strategies that would integrate efforts of all agencies towards P-16 education. Mr. Mantooth and Dr. Rush, CSUCI, are leading these efforts.
4. Dr. Lisagor further reported that he will be in Washington D.C. in mid-March doing some advocacy work for another organization. He plans to keep his eyes and ears open. Mrs. Peterson noted that CSBA, in conjunction with the NSBA, will also be having an advocacy effort in Washington D. C.
5. Dr. Flores reported on the dedication and commitment of the staff in the VCOE programs. The visit to Phoenix and Triton was an eye-opener. He was also impressed with the depth and breadth of the ROP programs offered. The students are on track to becoming productive citizens. Dr. Flores stated that the Office needs to advertise these programs to the public better.
6. Mrs. Peterson reviewed the upcoming events. Mr. Mantooth noted that an additional day for Board Visitations has been scheduled for February 12, 2009.
7. Mrs. Peterson noted that all of the Board members present attended the VCSBA Dinner meeting. Mr. Mantooth stated that a panel of experts presented on how to negotiate in times of no money. Paul Chatman, Arleigh Kidd, Jack Parham and Draza Mrvichin were the presenters.

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

*Mr. Mantooth distributed the Superintendent's Report including the items listed below.*

1. 2009-2010 Fiscal Year Appropriation Requests Information from Scott Wilk, Anchor Consulting, LLC., asking for additional information in the following areas.
  - District Wide Technological Advancement Initiative
  - "Portal to Learning" Distance Education Initiative

Mr. Mantooth reported that these two items were the ones that were most strongly supported by staff, as they will benefit all students of Ventura County, not just those of the Office. Information on the large expenditures is included. Staff will follow-up with the consultants on any further needs. These initiatives will be discussed during the Board goal setting meeting.

2. VCOE Making a Difference (Branch reports). This document presents an overview of some of the accomplishments by the various branches in the Ventura County Office of Education. These accomplishments were reviewed at a recent VCOE Leadership Team meeting, in an effort to celebrate accomplishments and discuss their continuance.
3. “Summary: American Recovery and Reinvestment.” This document discusses the Economic Stimulus Plan proposed by President Obama.

**I. LEGISLATIVE REPORT**

None.

**J. CONSENT/ACTION**

1. Travel Expense Claim
2. Temporary County Certificates
3. Williams and Valenzuela CAHSEE Lawsuit Settlement Quarterly Report to County Board of Education
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
5. Notice of Completion for GRD Construction, for the Conference & Educational Services Center Completion of Unimproved Space Project

Dr. Lisagor moved that Consent Items 1-5 be approved. Dr. Flores seconded the motion, and it carried 3:0.

**K. PRESENTATIONS**

None.

## L. DISCUSSION/INFORMATION/ACTION

### 1. Recap on Governor's Budget Proposals and State Legislative Special Session

*Mr. Carl Olson, Woodland Hills resident, addressed the Board.*

Mr. Olson advocated to keep as much money in the classroom as possible.

Mr. Prosser distributed copies of the Pocket Budget '09-'10 from School Services of California, Inc., and provided a powerpoint presentation on the Governor's Budget proposals for the remainder of 2008-09 and 2009-10.

The current budget deficit now exceeds \$40 billion. The Governor is proposing reductions for the current and future year. The mid-year cuts to education, which are in excess of \$6 billion include: elimination of 0.68% COLA, cuts of \$1.6 billion to K-12 revenue limits; deferral of \$2.8 billion in February payments to July (this will affect cash flow); and redesignation of \$1.1 billion in "settle up" funds from prior year. These mid-year cuts amount to approximately \$300 per ADA.

The Governor also proposes an additional \$1.1 billion in cuts to education for 2009-10, including: all deficits and revenue limit cuts from 2008-09 carried forward; 0% COLA for 2009-10; additional cuts to revenue limits of \$155 per ADA. The total loss to revenue limits over the two year period is approximately 16%.

The cash crisis will affect the school districts. Deferrals are becoming more popular. It saves cash for the State, but it passes cash flow issues to the local agencies. There are additional deferrals being considered. Districts could face cash shortages this year, and possibly borrow from other funds or other sources. The Office is talking with the Ventura County Treasurer's Office.

The Governor has proposed to offer broad budget and program flexibility in both years including: categorical funds can be transferred to unrestricted General fund; lift statutory requirements for most categorical programs; reduce or eliminate deferred maintenance requirements; shorten 2009-10 school year by up to 5 days; and reduce reserve requirements by as much as 5%.

Impact on the VCOE Budget. The revenue limit deficits apply to VCOE, but no additional revenue limit reductions have been proposed as yet. The 2008-09 VCOE budget already includes the 0% COLA and a 6.5% reduction to categorical programs. The 2009-10 VCOE budget will be based on 0% COLA and no categorical increases. Future budget adjustments are uncertain at this time.

Mr. Prosser reviewed the budget study process which includes a review by the Board's budget consultant. The Board budget study calendar includes Budget study sessions on February 12, March 13, April 9, May 8, and May 26; with final budget adoption on June 22, 2009.

The Governor's proposed full waiver of all categorical program requirements was discussed. The legislature has the ability to grant complete flexibility, except in court settlements and possibly federal dollars and their intentions. These are questions that remain to be answered. Local school districts are indicating that they cannot survive unless this flexibility is given. Some legislators have proposed cuts to specific categoricals, rather than to the revenue limit.

The Governor has also proposed an option to districts to cut of 5 days from the school year. If a district chose not to cut the days, the district would not be funded by the State for the additional five days. Districts would have to negotiate this with their respective bargaining units.

2. 2008-09 Consolidated Application for Funding Categorical Programs, Part 2  
Mr. Mantooth reported that 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. Dr. Flores moved the Board approve the 2008-09 Consolidated Application for Funding Categorical Programs, Part 2. Dr. Lisagor seconded the motion, and it carried 3:0.

3. Review of Regional Occupational Program Courses of Study  
Mrs. Velarde, Director, Career Technical Education, reported that the Regional Occupational Program Courses of Study are presented for the Board's review and requested adoption on February 23, 2009. 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. 42 courses have been reviewed. The specific occupational competencies and the math and language content standards that are supported by the course are listed.

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.

4. Approval of Regional Occupational Program Labor Market Report  
Mrs. Velarde noted that 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 and needs. 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.

Mrs. Velarde reviewed a powerpoint presentation on the Labor Market Report. She noted that Form C shows the courses taught at the ROP. All have been submitted to the CDE for certification, have been aligned with the Career Technical Education frameworks, meet a career pathway identified by the State of California, and have a qualified teacher. Form C also includes an area for the Board to indicate whether they would like to continue, review or discontinue each course. This is the action that is requested of the Board.

Local labor market review information is given on each course. Information from 2006-2016 was utilized in developing the local labor market review. Due to periodic labor fluctuations, it is recommended that 10-year data be utilized in reviewing the labor market. High School students need legitimate skills in order to compete in this economy. As the current labor market is changing so quickly, the Office will continue to review and revise whether the courses continue to meet the local labor market needs.

Form D includes information on the academic standards supported by each course. The final column notes whether the course leads to an industry based certification. The Office has completed the review for Math and Language Arts. Work continues on Science, Social Science and Visual & Performing Arts. The ROP is working to garner A-G coursework approval for the courses provided. Articulation agreements with local Community Colleges have been developed.

Due to the cap on ROP, there is little ability to start a new program unless another program is discontinued.

Dr. Flores moved 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. Dr. Lisagor seconded the motion, and it carried 3:0.

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  
Mr. Mantooth reported that 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. In Ventura County, the settlement will equal \$1.6 million to local districts. 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.

Dr. Lisagor moved the Board adopt 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. Dr. Flores seconded the motion, and it carried 3:0.

6. First Reading and Possible Adoption of Board Policy 6142.7, Physical Education  
Mr. Mantooh presented Board Policy No. 6142.7, Physical Education, for a first reading. The policy is based on the proposed CSBA sample policy. This policy addresses physical education and new legislation on fitness level testing. The Office does provide physical education activity to our students. The Office anticipates pursuing a physical education grant and this policy must be in place to do so. Dr. Flores moved the Board waive the first reading and adopt Board Policy No. 6142.7, Physical Education. Dr. Lisagor seconded the motion, and it carried 3:0.
7. Facilities Update  
Mr. Prosser provided an update on the utilization of office space and staff relocations at the ASC and CESC buildings. The effort was to move all staff from the Cowan Center and the space currently leased by the SELPA to either the Administrative Services Center (ASC) or Educational Services Center (ESC). Mr. Prosser reviewed the floor plan of both buildings. The second floor of each will change. Preschool for All and Research and Evaluation will be moved to the ESC. Cal-Safe, Homeless Foster, Migrant and Student Competitions will be moving into the ASC. The rear lobby in the ASC has been converted to an office and three additional cubicles.

The second floor of the Conference & Educational Services Center (ESC) has now been completed. The new area includes two large meeting rooms and an area for cubicles. Research and Evaluation, Preschool for All, Health Programs, and SELPA will be housed in the new area. The SELPA will utilize one of the two meeting rooms for their trainings.

Mr. Mantooth noted that the vacated spaces at the Cowan Conference Center are not approved by the Division of State Architect for student occupancy. In the short term, the Cowan Conference Center will be utilized for storage. Ultimately, as the property becomes more valuable and building around the airport increases, the building may be demolished and the property utilized for other purposes. This item was presented for information only.

8. Request for Issues to be Addressed through State Legislation

*Mr. Carl Olson, Woodland Hills resident, addressed the Board*

He suggested two areas for legislation – CPA Auditors for government agencies, and factual accuracy in textbooks.

Mr. Mantooth reported that on January 13, 2009, the Board received correspondence from Assemblymember Audra Strickland requesting any suggestions for local issues that the Board or Superintendent feel 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.

Mr. Mantooth requested that a letter to Assemblymember Strickland address the budget and fiscal related issues. He suggested the letter request flexibility in the budget, majority approval of the budget, additional flexibility in funding from other sources i.e. surplus property funds, and prompt adoption of a budget.

Dr. Lisagor moved the Board authorize the Superintendent to draft a letter of response, to be signed by the Board President and the Superintendent, addressing the budgetary crisis and the following issues: the Board's concern regarding the budgetary process; flexibility; the ability to utilize other sources of funding that a district may have available to them; majority vote for passage of the budget, as well as local tax measures such as parcel taxes; and elimination of segregated funding for charter schools. The letter will be cc'd to all Ventura County legislators. Dr. Lisagor seconded the motion, and it carried 3:0.

Mr. Mantooth noted that he will draft the letter and it will be e-mailed to all Board members for review.

9. Scheduling of Special Board Meeting for Board Goal Setting Study Session

Mrs. Peterson requested that the Board hold a Board Goal Setting Study session. The Board discussed possible dates and times.

Dr. Lisagor moved the Board schedule a Special Meeting on Monday, February 23, 2009, 5:00 – 6:00 p.m. Dr. Flores seconded the motion, and it passed 3:0.

Mr. Mantooth clarified that, time permitting, the regular business of the Board will be discussed from 5:00 – 6:00 p.m. The Board Retreat and Goal Setting Study Session would be held during the Regular Meeting time of 6:00 – 9:00 p.m.

Mrs. Peterson stated that an outside facilitator should be utilized for the Board Retreat. Mr. Mantooth recommended Jack Parham for this role. Mr. Parham is familiar with the school districts in Ventura County and their issues, is an expert in interest based decision making, and has a great deal of experience. Mr. Parham is available on February 23, 2009. The Board concurred with Mr. Mantooth's suggestion that Mr. Parham act as facilitator. Board members were asked to submit questions that will frame the discussion at this study session.

10. Review of Board Travel Expenditures to Date  
Mr. Mantooth stated that the Board's travel expenditures for 2008-09 were presented for information and discussion. Mr. Mantooth noted that there is provision within the policy for flexibility if one Board member needs to expend more funds on travel than another. Mrs. Peterson asked that this Policy be reviewed as part of the upcoming Study Session.
11. Board Legal Counsel Statement for Services  
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, were presented for the Board's information. This item will also be discussed as part of the Board Retreat.

**M. BOARD MEMBER COMMENTS**  
None.

**N. FUTURE AGENDA ITEMS**

1. Discussion of School District of Choice (TBD).
2. Review of Board Legal Counsel Contract (Requested by Dr. Lisagor, 2/23/09).

**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: ***5:00 – 6:00 p.m.***  
Location: 5100 Adolfo Road, Board Room, Camarillo  
Purpose: ***SPECIAL Meeting of the Board***

Date: Monday, February 23, 2009 (*Board Goal Setting Study Session*)  
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**

The meeting adjourned at 8:23 p.m.

***Approved by Board Action on 2/12/09.***

*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.*