

**VENTURA COUNTY BOARD OF EDUCATION
MINUTES OF REGULAR MEETING OF
February 2, 2007**

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. 07-03, was called to order by Mr. Marty Bates, President, at 8:04 a.m. on Friday, February 2, 2007, 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 – *Arrived at 8:09 a.m.*
Marty Bates, Area 2
Chris Valenzano, Area 3 – *Arrived at 8:07 a.m.*
Dean Kunicki, Area 4
Ron Matthews, Area 5

VCOE Personnel Present:
Charles Weis, Ventura County Superintendent of Schools and Ex-Officio Secretary and Executive Officer of the Board
Nancy Manley, Executive Assistant to Dr. Weis
Sandra Shackelford, Associate Superintendent, Educational Services
Stan Mantooth, Associate Superintendent, Administrative Services
Dr. Cary Dritz, Associate Superintendent, Student Services
John Gahan, Director, Special Education
Benny Martinez, Budget & Accounting Manager
Lisa Worsley, Senior Accountant

3. Approval of Agenda
Mr. Matthews moved the agenda be approved. Mr. Kunicki seconded the motion, and it carried 3:0. Mr. Valenzano and Mrs. Peterson were absent.

B. PUBLIC COMMENTS

None.

C. HEARINGS

None.

D. CLOSED SESSION

None.

E. PRELIMINARY

None.

F. CORRESPONDENCE

1. Letter from Mr. Carl Olson regarding adoption of 7th grade Science textbook.

G. PRESIDENT'S AND BOARD MEMBERS' REPORTS

1. Dr. Weis reviewed the Upcoming Events, noting that registration information for the CCBE/PTA/CCSESA Conference in Palm Springs on March 22-25, 2007 was provided for each Board member. The host hotel is currently full, but reservations have been made for Board members at the Hilton which is two blocks away. Board members were asked to indicate whether they planned to attend this conference and note their arrival and departure dates for the office.
2. Mr. Bates asked that Board members respond quickly so rooms can be released.

H. SUPERINTENDENT'S REPORT

None.

I. LEGISLATIVE REPORT

1. Dr. Weis distributed information on Legislation to Expand Partnership Academies. There are currently five partnership academies in Ventura County. Each partnership academy would get \$90,000 per year.

J. CONSENT/ACTION

None.

K. PRESENTATIONS

None.

L. DISCUSSION/INFORMATION/ACTION

1. Allocation of Federal Forest Reserve Funds

The estimated revenue for the Federal Forest Reserve Receipts has been received. The total for Ventura County is \$68,788. 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 (\$5,159)

$\frac{2}{3}$ of the remaining 85% to Fillmore Unified School District (\$19,490)

$\frac{1}{3}$ of the remaining 85% to Ojai Unified School District (\$9,745)

Dr. Weis noted that the federal government may no longer provide federal forest reserve funding. The Governor has proposed backfilling this with a \$69 million loan program.

Mr. Kunicki moved the Board approve the Allocation of Federal Forest Reserve funds as presented. Mr. Matthews seconded the motion, and it carried 4:0.1, with Mrs. Peterson abstaining.

2. Budget Study Session

Designated budgets for Fund 001 (Special Education Instruction), Fund 002 (Special Education Transportation) and Fund 003 (SELPA) were provided for review and discussion. A synopsis by Dr. Tom Kimberling, Board Budget Consultant, was included in the explanatory materials.

Mr. Mantooth reviewed a powerpoint presentation on the Governor's Proposed Budget for 2007-08 and distributed copies of the School Services of California Pocket Budget. The Governor's Proposed Budget funds COLA and Growth, although growth is expected to decline by 0.39 %. The federal portion of Special Education funding is not expected to receive COLA, and the Governor is not proposing to back fill this. Prop 98 is not experiencing any suspension or deals. There is more pressure to show results in student achievement.

Mrs. Peterson asked for a detailed outline of those mandated programs that are receiving COLA. Mr. Mantooth indicated that in the final draft of the budget, each program will include a notation as to whether or not it receives COLA. Mrs. Peterson requested this information be provided prior to the final adoption.

Mr. Mantooth reported that this is the first year of the Quality in Education Investment Act (QEIA) which will provide \$3 billion to schools over the next seven years. None of these funds will come to County Offices; however, there will be some funding provided for oversight responsibilities. There are approximately 500 schools in the State that could receive this funding, based upon an application / selection process.

Court & Community Schools, ROP, County Operations, and State Categorical programs will receive a 4.04% COLA. Special Education will not receive a federal COLA, therefore the net result is approximately a 2.80% COLA. Federal Categoricals will not receive COLA.

The Special Education population is growing, even though enrollment is declining. Mr. Gahan noted the number of students with low-cost learning disabilities is declining; while the number of high-cost students with disabilities such as autism has increased dramatically. The new diagnosis of Autism has caused a 300% increase in the number of students identified with this disability.

The budget does not include any new money for declining enrollment, nor does it include any funding to reach full equalization. There is also no funding for the Governor's proposed health initiative (which has an estimated cost of \$12.5 billion).

Other external change issues include: various Health Care Initiatives; a proposal to shift transportation funding out of Prop 98, and shift \$277 million funding for Child Care into Prop 98; 28 studies of "Adequacy" (what does it really cost to educate a child in California); an increase in CalSTRS contributions to be borne by the employers with no additional funding through Prop 98.

Mrs. Peterson noted that CSBA is one of the lead agencies on the Adequacy study. The reports are to be presented within the next two weeks but they will be embargoed for two months. The four agencies that will receive these reports are the Assembly, Senate, Governor and SPI.

Other Considerations include: Overly optimistic assumptions about revenues and pending court cases; structural budget gap of \$2.5 million remains, unfunded OPEBs (Other Post Employment Benefits, i.e. retiree health benefits) liabilities; and forecasts always change.

Mr. Mantooth noted that building the budget includes projecting enrollment and staffing accurately; incorporating anticipated health benefits cost increases (the Office is currently budgeting for a 15% increase); accounting for step and column adjustments; fully funding deferred maintenance (the state is again providing a 100% match); and maintaining adequate reserves.

Mr. Mantooth distributed copies of a line item detail of the Board's Budget for Board review and for use by the Board Subcommittee on hiring a lobbyist. Mrs. Peterson asked what fund paid for the High Performing High Schools Commission Report. Dr. Weis responded that this was paid for from Fund 019.

Mr. Mantooth stated that Fund 019 is a sub fund within the entire VCOE budget. Mrs. Peterson requested that when the Board discusses Fund 019, the Board needs to determine if the Board's portion needs to be expanded to allow the Board to do what it wants to do i.e. hire a lobbyist.

Mr. Kunicki stated that it is his understanding that the Board will determine a cost for the lobbyist and Mr. Mantooth will then inform the Board as to where the funds can come from. Mr. Mantooth noted that 80-85% of the whole budget is typically comprised of the cost of employees.

Fund 001, Special Education Instruction

Mr. Mantooth noted that in Fund 001, a 4.04% COLA was only provided to State funded Special Education programs. Mr. Gahan reported that Object 1000, 2000, and 3000 reflect changes in the step and column salary and increases in health care costs. Object 4000 reflects changes due to the expenses for supplies for 3-4 new classrooms which will be opened next year to house a highly intensive program which has been created at the request of the local school districts. This program will provide an alternative to non-public school placement, with the hope for significant savings in cost for the districts. These are students currently identified as eligible who are being served in non-public schools. When the students arrive, there will be a per-pupil revenue; however, there will also be some excess costs that will go back to the districts. The eventual result will be a reduction in overall costs to the districts.

Mr. Gahan noted that the budget was developed in anticipation of opening four classrooms, each serving approximately 6-8 students. These are the students with the most significant needs in the County, having higher restrictive needs than those students served at Phoenix. Dr. Weis noted that the IEP team will have to send a student to this program. This program will not be provided unless it reduces the cost for the districts.

Mrs. Peterson requested more factual information on the difference in the services provided by this proposed program, versus the non-public school programs.

Mr. Mantooth stated that this Fund does not reflect any negotiated salary increases. It does include a 15% benefits increase and the step and column increases. The increases in the 4000 account are for the startup of the new classrooms, and are primarily one time expenditures. The 5000 account increases are for technology updates by Technology Services, primarily at the major sites – Phoenix, Dwire, and Briggs.

Mr. Valenzano stated that the significant changes to this budget are from salary increases which are not determined by the local school district superintendents. He expressed concern that he continues to get calls from district board members asking why excess costs are increasing. Mr. Mantooth noted that the local school districts can always take their students back and provide their own special education program. All the districts work together to fund the services for these students, and the Office is providing these services at an economy of scale. Mrs. Peterson noted that the law gives special education parents incredible leverage for lawsuits, and the schools are required to provide the services, even paying for non-public schools.

**Mr. Kunicki moved the Board meeting be extended to 10:30 a.m.
Mrs. Peterson seconded the motion, and it carried 5:0.**

The Board took a ten minute break.

Mr. Mantooth continued, explaining that excess costs are billed to a school district based on the number of students that VCOE serves from that district. Simi Valley and Oxnard provide their own special education services. Districts always have the option of serving their own students. New programs are only created at the direction of the SELPA Operations Cabinet and Policy Council which oversees service to Special Education students.

Mr. Kunicki questioned increases in liability insurance and utilities increases. Mr. Mantooth stated that the Office has received notification that Edison is considering a 30% increase, although the PUC may not grant this. Workers compensation rates have remained flat. Liability increases are now based more on legal fees rather than settlements. All districts have access to the JPA attorneys. The formula of payment is based on size of district, the number of students and employees, and the claim experience that a district has had.

Fund 002, Special Education Transportation

Information in the packet states that transportation received a 4.7% increase. This is an error. Durham will receive a 4.04% COLA per the provisions of their contract. Mr. Mantooth noted that this fund is almost entirely the cost of the contract with Durham School Services. Durham transports not only all special education students that VCOE serves, but also assists with Special Education transportation for some districts as well. Approximately 800 students are transported every day. This is an economy of scale program. Excess costs are recouped through a formula similar to that of Special Education Instructional services.

Fund 003, SELPA

Mr. Mantooth noted that VCOE acts as the LEA for the SELPA funds which are passed through to the school districts under a formula established by AB602. The SELPA is responsible for coordinating services, and ensuring free and appropriate education for every student with an IEP. There are currently over 16,000 special education students in Ventura County.

Mr. Bates thanked staff for their information and encouraged Board members to contact Mr. Mantooth with additional questions.

M. BOARD MEMBER COMMENTS

Mr. Bates allowed Mrs. Peterson and Mr. Valenzano to give their Board member reports at this time.

1. Mrs. Peterson reported on the Salary Subcommittee. This will be discussed on the February 26th meeting. Mrs. Peterson noted that she has sent a rough draft to Dr. Weis and asked for his input. A report on the draft evaluation policy will be ready for February 26th.
2. Mrs. Peterson stated her concerns regarding the High Performing High School Commission and the process through which it was budgeted and how it fits into any strategic planning that the County Office has. Dr. Weis will report as a future agenda item.
3. Mr. Matthews questioned an e-mail that Mr. Bates sent regarding a brain workshop. He asked if there was a video tape of the conference available. Mr. Bates will look into this further.
4. Mr. Kunicki reported that he will be in Sacramento next week and asked if Board members had any information they would like him to share.
5. Mr. Valenzano submitted a letter for the record, pertaining to the upcoming textbook adoption. He is not comfortable with the Board approving a textbook that they could not personally review. He distributed a copy of the textbook to each Board member, noting that he received the textbooks free of charge.
6. Mr. Valenzano questioned why the Board has not received minutes of prior meetings for approval since December.
7. Mr. Valenzano asked if the suspension rate for Gateway had been corrected from the 77% noted in the on the SPSA report. Dr. Dritz responded that the suspension rate was corrected at 6%.
8. Mr. Kunicki reported that he will be visiting the Vista Real Charter High School on Tuesday, February 6, 2007.

N. FUTURE AGENDA ITEMS

1. Approval of Consortium Application for AB172, PreKindergarten and Family Literacy Program (February 26, 2007).
2. Superintendent's Salary (February 26, 2007).

3. Subcommittee Report on Potential Lobbyist, including range of cost (early March).

Mr. Kunicki stated that he is considering six lobbyists and would like to cull this to three lobbyists before presenting to the Board. He will include costs in his report.

4. Subcommittee Report on Superintendent Evaluation Protocol (February 26, 2007).
5. Discussion of Report on Purchase Orders and Requisitions (Requested by Mr. Bates / TBD).
6. Resolution to Transfer the Duties and Powers from the Ventura County Committee on School District Organization to the Ventura County Board of Education (March 9, 2007).

Mr. Valenzano reported that the reason the State Board of Education (SBE) has not taken action is the County Board did not submit their request in the form of a formal resolution. Mr. Valenzano will draft a resolution and present it to the Board's attorney for review.

7. Mrs. Peterson requested a future agenda item on a discussion of the rules governing fundraising and the election process, including a review of the Fair Political Practice Commission regulations. After further discussion Mr. Bates requested a motion.

Mrs. Peterson moved for a future agenda item on Adequacy of Fair Political Practices Commission Rules, as they apply to Board Election Campaigns. Mr. Kunicki seconded the motion. The motion failed 2:2:1, with Mrs. Peterson and Mr. Kunicki voting aye; Mr. Bates and Mr. Matthews voting nay; and Mr. Valenzano abstaining.

8. Mrs. Peterson requested a report on the process the Office utilizes to account for expelled students countywide. Mr. Bates asked that Mrs. Peterson meet with staff to determine specific information requested, before this item is added to a future agenda.
9. Mrs. Peterson questioned how the High Performing High School Commission fits into the strategic planning of the County Office, and how it was budgeted. Dr. Weis indicated that he will provide a report as a future agenda item.

O. FUTURE MEETINGS

Mr. Bates noted that it is very hard to change or cancel a meeting. Mr. Bates asked that Board members keep these requests to a minimum.

Date: Monday, February 26, 2007
Time: 6:00 p.m.
Location: 5189 Verdugo Way, Conejo Room, Camarillo
Purpose: Regular Meeting of the Board

Date: Friday, March 9, 2007 (*Budget Study Session*)
Time: 8:00 a.m.
Location: 5189 Verdugo Way, Conejo Room, Camarillo
Purpose: Regular Meeting of the Board

Date: **Monday, March 19, 2007**
Time: 6:00 p.m.
Location: 5189 Verdugo Way, Conejo Room, Camarillo
Purpose: Regular Meeting of the Board

BOLD denotes modified schedule

P. ADJOURNMENT

The meeting adjourned at 10:22 a.m.

Approved as Amended by Board Action on 02/26/07.

*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.*