

**VENTURA COUNTY BOARD OF EDUCATION
MINUTES OF REGULAR MEETING OF
April 13, 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. 07-07, was called to order by Mr. Marty Bates, President, at 8:08 a.m. on Friday, April 13, 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
Marty Bates, Area 2
Chris Valenzano, Area 3
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

3. Approval of Agenda
Mr. Valenzano moved that Agenda be approved. Mrs. Peterson seconded the motion, and it carried 5:0.

B. PUBLIC COMMENTS

None.

C. HEARINGS

None.

D. CLOSED SESSION

None.

E. PRELIMINARY

1. Approval of Minutes of Regular Meeting of March 19, 2007.
Mr. Valenzano requested a copy of the audiotape of this meeting and asked that this item be postponed until the May 14, 2007 meeting. Mrs. Peterson seconded the motion, and it carried 5:0.

F. CORRESPONDENCE

1. Letter from Carl Olson, dated March 11, 2007, pertaining to the proposed Science textbook
2. Letter from Christine Johnston, dated March 11, 2007, pertaining to the Fillmore Unified School District Inter-District Transfer Policy.
3. Letter from Christine Johnston, dated March 25, 2007, pertaining to the Fillmore Unified School District transfer policies for Performance Improvement Schools. Attachments are available for review in the Superintendent's Conference Room. Individual packets were mailed to each Board member.

G. PRESIDENT'S AND BOARD MEMBERS' REPORTS

1. Mrs. Peterson reported that she recently attended the CCBE/PTA/CCSESA Annual Conference and the CCBE Legislative Committee meetings. The Legislator of the Year Award will be given to California State Senator Jeff Denham, 12th District. He has sponsored many educational bills and voted no on the mayoral takeover of LAUSD.

The CCBE Legislative Committee is in the process of reviewing legislative bills. The focus is on fairness in funding. The Legislative Committee will make final position decisions on April 23, 2007.

2. Mrs. Peterson reported that the CCBE Board of Directors passed a 20% increase in dues and an automatic COLA each year. CCBE hopes to eventually have a full time Executive Director and lobbyist.
3. Mrs. Peterson reported that the LAO Report on Alternative Education in California has been released. This report highlights the dropout data and assesses the effectiveness of alternative education programs. She encouraged Board members to review this report online.

4. Mrs. Peterson distributed that 2nd Interim Report for School of Arts and Global Education. This Charter Schools is currently negotiating with Ventura Unified School District regarding facilities, as their enrollment is growing. They are expecting 75 additional students.
5. Mr. Matthews attended the Spring Conference and attended four modules. He will distribute copies of materials at a future meeting.
6. Mr. Bates reported that SELPA is actively requesting lobbying from local school boards regarding rental of facilities. Conejo Unified School District contacted Mr. Bates directly, and he told them that the Board has requested additional information on this item.
7. Mr. Valenzano reported that he has met with many parents regarding Charter Schools. There are two groups in Ventura County considering charters - Santa Clara School District, which is losing a portion of their enrollment to Fillmore Unified School District, and the Open School in Pleasant Valley School District. The Open School has filed a charter petition with PVSD and if they are denied, they will ask this Board to become the chartering agency. PVSD has set a tentative hearing date scheduled.

Mr. Kunicki asked if this is a knee jerk reaction based on school closures.

Mr. Valenzano stated that the school is not being closed, just moved to another site. The parents are concerned about loss of program; and have told the District that if the District will maintain the K-8 program, they will stay with the District. One of the main programs the parents want to maintain is Everyday Math.

8. Mr. Bates reported that he has received phone calls from parents residing in the Santa Rosa Valley and he has discussed this with Conejo Valley School District. The issue of school closures is happening throughout the County.

Mrs. Peterson noted that it has been happening throughout the state as well, and there is legislation that would base funding on enrollment, rather than ADA.

H. SUPERINTENDENT'S REPORT

Dr. Weis reported on the following items relative to the activities of the Office:

1. Dr. Weis presented the VCSBA Certificate of Meritorious Public Service Awarded to Marty Bates for 12 years of service as a member of the Ventura County Board of Education.
2. Announcement that VCOE has been selected as the LEA for the Region 8 GATES District Intervention and Capacity Building Grant. The District Assistance Intervention Team Pilot will be conducted by Kern County. The purpose of the GATES Capacity Building Grant is to have the County Office build their capacity to assist districts to improve. Title 1, High Performing School, and QEIA funds can all be used.

3. Announcement that VCOE is being nominated by CCSESA as the County Office LEA for the Personnel Management Assistance Team (PMAT) and Clearinghouse. The goal of PMAT is to assist with the recruitment and retention of teachers. The nomination of VCOE will be sent to Superintendent O'Connell who will make the final selection.
4. Notification from CDE that the Ventura County Collaborative Prekindergarten and Family Literacy has received an allocation of \$119,617 for Full-Day services and \$729,780 for Part-Day services. These funds will be used to provide 222 additional prekindergarten slots.
5. Notification from Martin V. & Martha K. Smith Foundation regarding denial of grant request for SEASONS program.
6. Notification that the Jewish Federation of Ventura County has made a donation in Dr. Weis' honor to the Teaching Tolerance Program.
7. Notification from John Walker of CSBA Delegate Assembly Election Results.
8. E-mail from Alan Murray regarding Phoenix Science Night.
9. Flyer announcing ROP Certificate of Proficiency and Awards Ceremony, June 6, 2007, 6:00 – 8:00 p.m., Camarillo High School.
10. E-mail from Nancy Bradford, VUSD, regarding Gateway Community School.
11. WASC Accreditation Team Comments (Copies of Focus on Learning, report submitted to WASC Visitation Team, are at Board member desks)
12. 2007 Ventura County Science Fair Handbook.
13. CCBE 2007 Directory.
14. Newspaper Articles relative to activities of the Office.

Mr. Kunicki requested information on API. Dr. Weis reviewed how the increased standards have affected the ranking of schools. A school that was ranked as an 8 seven years ago, would now be ranked at a 5, if their scores had not improved. There has been improvement across the County, with the greatest improvement at the elementary school level, with less improvement at the middle and high school levels. Approximately 20 schools and 5 districts have utilized the Curriculum Support program offered by the County. Mrs. Peterson requested a list of those schools that have utilized the offered services, and those that have not. Ms. Shackelford will e-mail this information to Board members. .

I. LEGISLATIVE REPORT

1. Dr. Weis distributed information on sponsored bills, and ROP funding. Mr. Kunicki asked that this information be forwarded to the lobbyist in Sacramento.

J. CONSENT/ACTION

1. Temporary Certificates
2. Travel Expense Claim

Mr. Valenzano moved the Board approve Consent Items 1 and 2. Mrs. Peterson seconded the motion, and it carried 5:0.

K. PRESENTATIONS

None.

L. DISCUSSION/INFORMATION/ACTION

1. Approval of HIV / AIDS Education Curriculum
Dr. Weis noted that Education Code Section 51934 requires students in grades 7 to 12 to receive AIDS prevention instruction once during middle school and once during high school. This instruction must accurately reflect the latest information and recommendations from the United States Surgeon General, the federal Centers for Disease Control and Prevention (CDC), and the National Academy of Science. Providence, Gateway and Phoenix Schools have selected *Positive Prevention: HIV/STD Prevention Education for California Youth*, produced by the American Red Cross, as the curriculum to fulfill these requirements.

The California Department of Education (CDE) recommends *Positive Prevention: HIV/STD Prevention Education for California Youth* which has been field tested throughout the State and complies with all California Education Code related to HIV/AIDS and STD instruction. There is no alternative, unless the Office creates its own materials.

Mr. Valenzano moved the Board approve *Positive Prevention: HIV/STD Prevention Education for California Youth* as the HIV/AIDS Education Curriculum for Providence, Gateway and Phoenix Schools. Mr. Matthews seconded the motion, and it carried 5:0.

2. School Safety Plans
Dr. Weis reported that all Ventura County Office of Education operated schools have established Comprehensive School Safety Plans. In accordance with Board Policy No. 0450, safety plans are reviewed on an annual basis by the school safety planning committee, modified as needed, and changes are approved by the County Superintendent of Schools. Complete school safety plans are available for review in the Superintendent's Conference Room. This item was presented for information only.
3. School Accountability Report Cards
Dr. Weis reported that, beginning with the 1989-90 school year, Proposition 98 required the governing board of California school districts to annually issue a School Accountability Report Card for elementary and secondary schools under their jurisdiction. These Report Cards are presented in a State directed format, and are designed to inform the public on specific items defined by legislation as well as any other data about the schools that the principal feels is important for their community to know. There was a study done by UCLA that indicates that this format is not user friendly. A subcommittee is working on the design at the State level. The 2005-06 School Accountability Report Cards were presented for information only.
4. Williams Lawsuit Settlement Quarterly Report to County Board of Education
Education Code 35186 stipulates that the Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the Board and the County Superintendent of Schools on a quarterly basis. The report shall include the number of complaints, by general subject area, with the number resolved and unresolved complaints. The report shall be conveyed publicly, on a quarterly basis, at a regularly scheduled Board meeting. Dr. Weis noted that the Williams Coordinator for the Ventura County Office of Education presents the quarterly report for January 1, 2007 – March 31, 2007, which shows no complaints filed during this period. This item was presented for information only.

The Board took a break from 8:55 – 9:05 a.m.

5. Report on Negotiation of Contracts with Lobbyist Firms Capitol Venture, LLC., and Anchor Consulting, LLC.
On January 22, 2007, Mr. Valenzano appointed Mr. Kunicki and Mr. Bates to a Subcommittee to research potential lobbyists. On March 9, 2007, the Board authorized the Subcommittee and Dr. Weis to pursue contracts with Capitol Venture, LLC., and Anchor Consulting, LLC., and that following negotiations, the fees be incorporated within the 2006-07 budget. Mr. Bates distributed copies of the contracts with the lobbyist firms of Capitol Ventura, LLC and Anchor Consulting, LLC and comments from Don Hurley, Assistant County Counsel, for the Board's review.

Mr. Bates noted that the first application for federal funding was filed with Congressman Gallegly's Office and was for \$1.5 million to improve the facilities at the ROP Airport. The lobbyists are also talking to Feinstein, Boxer, for additional legislation.

Mrs. Peterson asked about the need for a lobbyist when there are elected representatives. What other educational organizations have utilized lobbyists to get funding? Dr. Weis reported that information on what agencies pay for lobbyists and the amount paid, is available. He noted that there are a handful of County Offices that have hired lobbyists. With the existing contracts, the Board will become the 12th largest expenditure for lobbyists in the State, up with CTA, LAUSD, and the CSU system. This is a larger expenditure than that of any other County Offices of Education. Four districts in the County spent money on lobbyist in 2005: Fillmore Unified, \$12,000; Oxnard Union, \$34,000; Oxnard Elementary \$63,000; Simi \$24,000; and Santa Paula which spent 0 last year. Mr. Kunicki noted that these lobbyists are probably hired for specific issues. LAUSD spent \$430,000 on lobbyists.

Mr. Bates noted that there is a termination of contract clause in both contracts, and that it is not the job of the elected representatives to find funding for each agency in their County. That is the lobbyists' job.

Mrs. Peterson asked if there is information available on which lobbyist agencies have given funds to what campaigns. Mrs. Peterson stated her concern that the original estimate was \$200,000 and these contracts are for \$288,000. Mr. Bates noted that it is a 15 month contract. Mrs. Peterson stated her concern that this is using taxpayer money for venture capitalism. She will be concerned that this money will filter down to campaigns, and will not be used to support and expand education. She feels that we are taking public funds to benefit private enterprise.

Mr. Valenzano stated that it is the County Board's job to search out funds to support local education. He believes that if the Office and Board can spend \$300,000 to bring in over \$1.5 million dollars, then they are successful. He noted that the Office brought in \$1 million dollars from a private firm. If this money can be used to bring in additional funds, then he would like to pursue this.

Mrs. Peterson responded that it is the responsibility of Board member to go to their legislators and lobby for additional funding. This is also the work of CCBE and CSBA. Board members do need to do a better job of lobbying with their legislators. She believes that we need to be very cautious with tax payer money. This is very high risk when she feels we should be conservative with funds. This should be done through a foundation, people who want to take this type of risk to further education.

Mr. Kunicki stated that he is not satisfied with the amount of funding that ROP receives and he would like to pursue this avenue. Mr. Kunicki noted that he is prepared to move forward with these contracts.

Mr. Matthews moved the Board meeting be extended to 11:00 a.m. Mr. Kunicki seconded the motion, and it carried 5:0.

Mr. Valenzano stated that he feels that the lobbyist contracts are not being funded through public, tax payer money, but rather through the \$1 million income which came from private industry and he is willing to expend this money in this manner. CSBA and CCBE have lobbyists, but this is not bringing money into Ventura County. Public funds do go into the private sector as textbooks, lawyers, pencils, paper are not purchased from public agencies.

Mrs. Peterson concurred that when we utilize public funds, we need to be prudent. When we purchase textbooks, and hire contractors, we either know what we are purchasing, or have entered into a competitive bidding process. Mrs. Peterson stated that for this Office to be seen as having the 12th largest expenditure in the State for lobbyists will be questioned by the public in the future. She cautioned the Board to be cautious and prudent with the use of public funds.

Mr. Valenzano requested a copy of the report on lobbyist expenditures for 2005. Dr. Weis will forward this information to all Board members.

Mr. Bates noted that this is not an action item. The pursuit of these contracts was already authorized. This is a report on the final contracts. This item was presented for information only.

6. Board Legal Counsel Statement for Services

Board Legal Counsel's statement for representation by Terry Filliman, Attorney, Atkinson, Andelson, Loya, Ruud & Romo, in matters relating to School District Organization, was presented for the Board's information and review.

Mr. Valenzano asked if there is a 20 minute minimum in the contract.

Mr. Mantooth noted that it is common for attorney bills to include tenths of hours. This item was presented for information only.

7. Discussion of Board Policy No. 6161.1, Selection and Evaluation of Instructional Materials and Board Policy No. 6144, Reevaluation of Recommended or Adopted Instructional Material

Mr. Bates, Board President, noted that staff has requested additional input from Board members as to what changes to Board Policy No. 6161.1, Selection and Evaluation of Instructional Materials and Board Policy No. 6144, Reevaluation of Recommended or Adopted Instructional Material; are being requested.

Mr. Valenzano stated that he would like the policies to state that Board members will receive, for purposes of review, a copy of any textbook being recommended to the Board for adoption. Board members will receive this copy at the start of the 30 day review period.

Mr. Bates expressed a concern that one member of the public can delay the adoption of a textbook by submitting a letter. Dr. Weis clarified that if a member of the public were to submit a concern, then staff would have an additional 30 days to review and address the concern. Dr. Weis clarified that such a letter can only be submitted at the time of the 30 day review. If additional letters were submitted after the 30 day review period, this would not delay the process. Dr. Weis will review the policy to make sure that the policy states this clearly.

Mr. Valenzano requested clarification of the definition of “resident of district”. Dr. Weis noted that “resident of district” refers to whether a child is attending within the district.

Mr. Valenzano further noted that Board Policy 6144 states that “if the Board accepts the challenge ...” Mr. Valenzano noted that the Board could have rejected the challenge, rather than accepting it.

Mr. Matthews noted that there should be ample time for review and input on instructional materials. This is an important issue. Dr. Weis noted that these Policies will be brought back to the Board at a future meeting.

8. Budget Study Session

As provided in the budget calendar, designated budgets for Fund 014 (Juvenile Court Schools), Fund 015 (County Community Schools) and Fund 016 (Regional Occupational Program) were provided for review and discussion.

Mr. Mantooth provided the following introductory information. The fees for the lobbyist will be reflected in the 2006-07 and 2007-08 budgets. Health benefits will experience only a 2.5% increase, rather than the 15% budgeted. In addition, as a member of JPA, the workers’ compensation insurance has been reduced by \$1 per \$100 of payroll. These changes will affect all budgets. Other expenditure / revenue assumptions: The funds reflect a 4.04% COLA, although this could change.

Fund 014 – Juvenile Court Schools

The Court Schools budget reflects a drop in ADA, as there are not as many students in the Juvenile Hall. Reductions in staff have been made and the portion of Casa Pacifica operated by VCOE will be closed at the end of this year. Dr. Dritz explained that McKinney-Vento law requires that homeless students be offered their home school as school placement. Casa Pacifica provides the transportation and bills the school districts (which is the law). This law is now being implemented. The only students the Office served at Casa Pacifica were emergency service students from other Counties. The effort has been made to return them to their home districts.

Fund 015 – Community School Program

Mr. Mantooth noted that a few years ago Dr. Weis set a standard of making the educational program at the Community Schools truly meaningful. The program is now a high quality seat time program. The WASC accreditation team has noted the many positive changes to this program.

The Community School program continues to experience a serious problem with attendance, and a drop in the number of students enrolled. The budget was adopted based on 170 ADA, but realized only 110 ADA. This program has been operating at a deficit for several years. The program has been compressed to operating at only one site, and reductions have been made to everything that does not affect the safety and security of staff and students.

The Countywide Program for Expelled Youth states that the County Office will provide a program for expelled youth. Dr. Weis has recently approached the district superintendents about continuing this program on an excess cost basis, beginning in 2007-08, and asked for input and suggestions. The Office is looking for a workable educational solution.

Oxnard High is considering closing their Community Day School which could provide additional ADA. We do anticipate that the students at the Ventura site will come to the Airport facility or attend the Ventura Unified Community Day School.

Mrs. Peterson asked if local school districts are trying to develop their own program in order to capture the ADA. Dr. Weis responded that some districts can operate their own program, but the smaller school districts cannot do this cost effectively. There must be an alternative program for these students.

Fund 016 – Regional Occupational Program

Dr. Weis directed the Board members to information Mrs. Velarde provided in response to questions from Mrs. Peterson. Mr. Kunicki asked that this information be provided to Mr. Yocca. Mrs. Peterson asked for additional information on the decrease in classroom revenue. Mr. Etchart stated that this is money for the extra supplies and/or lab fees paid by students and it varies from year to year. If the student count decreases, then this income drops as well. Students that cannot pay these fees are not charged.

M. BOARD MEMBER COMMENTS

1. Mr. Kunicki requested that the Board consider having Dr. Weis and the Lobbyist Subcommittee members plan a trip to Sacramento to meet with lobbyists and the new Secretary of Education. Anchor Consulting LLC will be performing a Targeted Capacity Review on May 7, 2007. This information will be sent to the Sacramento lobbyists as well.

2. Mr. Bates noted that he will be gone from May 13 through May 28, 2007 and will therefore miss the May 14th and May 21st Board meetings.
3. Mr. Matthews reported that he and six others reviewed the recommended Science textbooks, and together they determined that the original proposed textbook should be brought to the Board for adoption. The Office will draft a response to Mr. Olson. Mr. Matthews thanked Mrs. Shackelford and staff for their assistance.

N. FUTURE AGENDA ITEMS

1. Resolution to transfer the duties and powers of the County Committee on School District Organization to the Ventura County Board of Education (May).
2. Report on VCOE Preparedness Plan for Pandemic Avian Flu (Requested by Mr. Kunicki / TBD).
3. EMT Program Offered through ROP (Requested by Mr. Valenzano / TBD).
4. Framework for Developing a Superintendent's Performance Review (TBD).

Mrs. Peterson noted that she would like to develop a schedule of regular meetings with Dr. Weis. This item will be held after a meeting is scheduled.

5. Adoption of Science Textbook (April 23, 2007).

O. FUTURE MEETINGS

Date: Monday, April 23, 2007
 Time: 6:00 p.m.
 Location: 5189 Verdugo Way, Conejo Room, Camarillo
 Purpose: Regular Meeting of the Board

Date: **Monday, May 14, 2007** (*All Day Budget Study Session*)
 Time: 8:00 a.m.
 Location: 5189 Verdugo Way, Conejo Room, Camarillo
 Purpose: Regular Meeting of the Board

Date: **Monday, May 21, 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 10:55 a.m.

Approved as Amended by Board Action on 5/21/07.

*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.*