

**VENTURA COUNTY BOARD OF EDUCATION
MINUTES OF REGULAR MEETING OF
May 21, 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. 07-10, was called to order by Mr. Chris Valenzano, Vice-President, at 6:02 p.m. on Monday, May 21, 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. Valenzano and followed by a moment of reflection.

2. Roll Call
Trustees Present:
Mary Louise Peterson, Area 1
Marty Bates, Area 2 - *Absent*
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
Dr. Cary Dritz, Associate Superintendent, Student Services

3. Approval of Agenda
Dr. Weis requested that Agenda Item B, Public Comments, be split into two parts, one after Approval of the Agenda, and again after Agenda Item F.12. Mr. Kunicki requested that Agenda Item F.12 be heard prior to Agenda Item C.1. Dr. Weis further noted that Agenda Item F.3 has been withdrawn. Mrs. Peterson moved the agenda be approved as amended. Mr. Kunicki seconded the motion, and it carried 4:0. Mr. Bates was absent.

B. PUBLIC COMMENTS

None at this time.

Per the amended Agenda, the Board proceeded with Agenda Item F.12.

F. HEARINGS

12. Interdistrict Attendance Appeal Case No. 439.
The parents of the students were in attendance. No representative from the Simi Valley Unified School District was in attendance. Mrs. Peterson moved the Board uphold Interdistrict Attendance Appeal Case No. 439, based on the fact that the parent is employed close to the requested school district; and set the duration of the release at the remainder of the student's High School career. Mr. Kunicki seconded the motion, and it carried 4:0.

Per the amended Agenda, the Board proceeded with Agenda Item C, Presentations.

C. PRESENTATION

1. Fillmore Unified School District Presentation of Information Regarding Interdistrict Attendance Appeals

Mr. Jeff Sweeney, Superintendent; Evalene Townsend, Director of Human Resources and Pupil Personnel Services; Dr. Michael Bush, Fiscal Director; Jim Romo, Legal Counsel; Virginia de la Piedra, Board President; Liz Wilde, Board member; and Katie Hadley, Educational Services; were in attendance.

Mr. Sweeney noted that effective the 2007-08 school year, the Fillmore Unified School District adopted a Board Policy to limit the number of students transferring out to 3% of its current year estimated average daily attendance, per Education Code 48307 (b). Prior to the adoption of the Board Policy, the District notified the County Office of Education and the surrounded districts. The previous opinion issued by the County Board's legal counsel was reviewed and District legal counsel was sought. Mr. Sweeney noted that Fillmore Unified School District welcomes the opportunity to educate all of their students.

114 of 169 (70%) students were granted permission to leave the district. In addition five complaints incorporating 20 allegations were presented. An outside evaluator sustained two complaints: one in which the County form was not aligned with the district policy; and Mrs. Townsend's phone calls to parents may not have been appropriate.

Dr. Michael Bush reviewed the process by which the District arrived at the calculation of a 3% cap (114 students). The P-1 ADA report for 2006-07 was 3,581 students. The District added to this an anticipated 210 student increase in enrollment. This figure was based on a new development in Fillmore of 300 homes. The District utilized the current statewide enrollment generation factor of 0.7 students per household. These 210 students were added to the P-1 ADA for a total of 3,791 anticipated student enrollment for 2007-08. This allowed the District to release 114 students (3,791 x 3%).

Mrs. Evalene Townsend described the process that the District used in implementing their Policy. A letter was sent to parents, phone calls were made to neighboring districts, and the policy was discussed. Transfer requests were logged by date received. Applications were reviewed and were approved on a first come first served basis, if they met the qualifying criteria. A log was kept, rather than having a date stamp. Criteria were not weighted.

Mr. Valenzano asked if the District had contacted other districts regarding Program Improvement transfers. Mr. Sweeney noted that three districts have expressed an interest. The Board is currently developing student criteria for transfers. Mr. Sweeney noted that only Middle School (Grades 6-8) students will be considered for Program Improvement transfers, as the District does have an elementary school that is not in program improvement. It is anticipated that an answer will be forthcoming on June 5, 2007. Only three of the parents appealing tonight would be involved in this Program Improvement situation.

Mrs. Peterson noted that there are 44 areas that make up the criteria for NCLB; the Middle School in Fillmore is in Program Improvement in only three areas: English Language Learners and Special Education and two subgroups in Math.

Mr. Kunicki asked if students that were released last year were given preference over new applicants. The District noted that all requests were reviewed on a first come, first served basis if they met one of the qualifying criteria. If one sibling met a qualifying criteria, additional sibling were also granted until the 3% cap was met.

Mrs. Townsend noted that transfer requests were logged as they were received. There may be instances where the parent dated the form, but it may have been the wrong date. Most of the forms were hand delivered.

Mr. Romo, Legal Counsel, answered questions from the Board. He stated that the statute does not address the grandfathering of students previously released; and that had the legislator allowed for a possibility of prioritization, they would have stated this. The legislature, in balancing the interests of a school district needing to stabilize enrollment, granted the individual district that latitude to develop priorities. The legislature saw that this was an interest where the interest of the districts had to be balanced against the needs of the parent for school choice. In this instance, the District has been given the authority to establish a 3% cap.

The Fillmore Board recognized that the District might receive more applications than it could allow; and that as a result individuals may have important reasons to request a release, may be denied. School officials are required to make tough decisions that are in the best interest of the district, above the interests of the individual students i.e. expulsion of students, closing schools, discontinuing programs, changing attendance boundaries, curtailing transportations. All of these decisions affect individual students, but Districts are called upon to do the right thing for the educational needs of the institution.

Mr. Romo stated that Fillmore Unified School District has followed the appropriate steps in adopting a cap, and that is not subject to extending or exceeding that cap. That decision is left to the discretion of the individual school district. Fillmore Unified will vigorously defend what it feel is authorized by the Education Code.

Mr. Romo responded to a question regarding the 10% cap for the life of the program, versus the 3% cap. Mr. Romo noted that this portion of Education Code is permissive for a District of Choice (which in this case references Fillmore School District). The County Board must presume that the legislature understood the exact meaning of the language they used. They referenced receiving districts. The logical interpretation is that the only district that can accept a student is the receiving district. The legislature did state a specific intent.

The Board took a five minute break from 7:08 p.m.

At 7:12 p.m., Mr. Valenzano announced that the Board would take a five minute break and then adjourn into Closed Session. At 7:17 p.m., Mr. Valenzano announced that the Board had not yet convened into Closed Session, but instead had received a request from staff that the Board hear Agenda Item M.1, Presentation to SELPA Bell of Honor Award, as staff was in attendance for this Item.

Mr. Matthews moved the Board reorder the agenda in order to hear Agenda Item M.1 prior to Agenda Item D. Mrs. Peterson seconded the motion, and it carried 4:0.

The Board proceeded with Agenda Item M.1.

M. PRESENTATIONS

1. Presentation of SELPA Bell of Honor Award
Mary Samples, Executive Director, SELPA, noted that three years ago SELPA created a process whereby Special Education staff that go above and beyond, in holding high expectations for students, could be recognized. Ms. Samples presented the SELPA Bell of Honor Award to Mimi McGilvray, K-2 grade teacher at La Mariposa School.

Per the amended agenda, the Board continued with Agenda Item D.1, Closed Session.

D. CLOSED SESSION

1. Conference with Legal Counsel
Mr. Valenzano convened the Board into Closed Session at 7:27 p.m.

E. REPORT OF ACTION TAKEN IN CLOSED SESSION

1. Report of Action Taken in Closed Session.

Mr. Valenzano reconvened the Board into Open Session at 8:24 p.m., and reported that the Board took no action during closed session.

F. HEARINGS

Mr. Valenzano stated that the Board has chosen to waive attorney/client privilege and authorized County Counsel to issue an opinion during Open Session. Mr. Valenzano then asked County Counsel, Don. Hurley, to present his opinion regarding the Interdistrict Attendance Appeals pertaining to Fillmore Unified School District.

Mr. Hurley stated that the stipulations of Education Code 48307 are very clear. Education Code 48307, in providing for a 3% cap, supersedes the other sections of the Education Code in regards to any rights of the parents. To balance the needs of the District with the needs of the students is very hard.

The County Board has reviewed the information provided by the parents and the Fillmore Unified School District. It appears that the District has followed the requirements of Education Code 48307, and while the process used did not necessarily take into account the needs of the individual students, the District has acted within the rights granted to it by Education Code 48307. The County Board, therefore, has no authority to approve any of the appeals presented tonight.

Individual Board members addressed the audience.

Mr. Valenzano expressed to the District his disappointment with the District Policies and Guidelines, stating that he feels it harms children when they are not assured that they can continue their education at the same school. Once a student is allowed to transfer, that should be honored. To move students based on first come, first serve basis is wrong.

Mr. Valenzano stated that he believes the intent of the legislature was to allow students to continue with a curriculum in a consistent environment. He feels that this portion of Education Code takes away the parents' right for due process; for District to supersede the County Office of Education and that this law is arbitrary. However, the district answers to the parents and the voters. This Board, in regards to the issue of the 3% cap, can only review whether the District followed their process in implementing the 3%. The County Board is an appellant body that must insure due process, but cannot rehear cases. The County Board is compelled to follow the law of the State and cannot supersede that authority. He is disappointed with both the way the law is written; and the District's harm of students when considering the financial situation.

Mrs. Peterson noted that education is in a difficult situation. This section of Education Code gives a tool to districts to ensure that they keep programs intact for all students in a district. We know that the State funding of education is flawed, and people are trying to do what is best. District hire based on enrollment, teachers must be paid even if the enrollment drops. A classroom of 25 vs 35, have the same costs for a teacher. Districts are making these kind of decisions. The districts want each child to have the best possible education. All school districts are making tough decisions. \$8000 per student isn't enough; these are very difficult decisions. We are all disappointed with the decisions we have to make. Mrs. Peterson hoped that the parents will work with their schools and district and find a way to make Fillmore a community that supports its local public schools. This will benefit all students in the community. The number one factor for student success is the parent.

Mr. Kunicki stated that this Board has never refused an interdistrict transfer appeal. It has been the will of this Board to have parents have control over where their students can go to school. This is a troubling decision. This State law allows the school district to bypass parental rights. By State law, this Board cannot uphold these appeals. He apologized for the decision he has to make tonight, but his hands are tied.

Mr. Matthews stated that he too would have upheld every one of these appeals.

Mr. Valenzano encouraged parents to pursue charter school options. He disagrees with the State law when it takes away the rights of the parents and what is in the best interest of the students. This is not the decision he would have made, but this Board does not have the authority to make that decision. This law allows the District to supersede the appellant rights of the County Board of Education. This will affect Santa Clara School District tremendously. When one school district chooses to recoup ADA, it impacts another school district. Under NCLB, those parents who have a choice, should pursue it if it becomes available.

Mr. Valenzano stated that although the County Board does not have the right to uphold these Interdistrict Attendance Appeals, the Board would allow the parents to present their appeals.

1. Interdistrict Attendance Appeal Case No. 430.

The parent, Nancy Gallagher, and the student's sibling attended the meeting and stated her reasons for requesting an interdistrict attendance appeal. Mrs. Peterson moved the Board deny Interdistrict Attendance Appeal Case No. 430, based on the District's right, per Education Code 48307, to adopt a 3% cap on the number of pupils transferring out; and on the advice of Legal Counsel that the County Board has no authority to uphold the appeal. Mr. Kunicki seconded the motion, and it carried 3:1:0, with Mr. Valenzano voting nay.

2. Interdistrict Attendance Appeal Case No. 431.
The parent, Nancy Gallagher, and the student attended the meeting and stated her reasons for requesting an interdistrict attendance appeal. Mr. Kunicki moved the Board deny Interdistrict Attendance Appeal Case No. 431, based on the District's right, per Education Code 48307, to adopt a 3% cap on the number of pupils transferring out; and on the advice of Legal Counsel that the County Board has no authority to uphold the appeal. Mrs. Peterson seconded the motion, and it carried 3:1:0, with Mr. Valenzano voting nay.
3. Interdistrict Attendance Appeal Case No. 432 and 433.
At the request of the appellant, this Agenda Item was cancelled.
4. Interdistrict Attendance Appeal Case No. 434.
The parent, Liliana Morales, attended the meeting and stated her reasons for requesting an interdistrict attendance appeal. Mrs. Peterson moved the Board deny Interdistrict Attendance Appeal Case No. 434, based on the District's right, per Education Code 48307, to adopt a 3% cap on the number of pupils transferring out; and on the advice of Legal Counsel that the County Board has no authority to uphold the appeal. Mr. Matthews seconded the motion, and it carried 3:1:0, with Mr. Valenzano voting nay.
5. Interdistrict Attendance Appeal Case No. 435.
The parents, Sean and Veronica Morris, attended the meeting and stated their reasons for requesting an interdistrict attendance appeal. He asked that the record reflect that their application was submitted on January 20th, not January 26th, as noted by the Fillmore School District. Mr. Kunicki moved the Board deny Interdistrict Attendance Appeal Case No. 435, based on the District's right, per Education Code 48307, to adopt a 3% cap on the number of pupils transferring out; and on the advice of Legal Counsel that the County Board has no authority to uphold the appeal. Mr. Matthews seconded the motion, and it carried 3:1:0, with Mr. Valenzano voting nay.
6. Interdistrict Attendance Appeal Case No. 436.
The parents, Robert and Liz Perez, attended the meeting and stated their reasons for requesting an interdistrict attendance appeal. Mr. Kunicki moved the Board deny Interdistrict Attendance Appeal Case No. 436, based on the District's right, per Education Code 48307, to adopt a 3% cap on the number of pupils transferring out; and on the advice of Legal Counsel that the County Board has no authority to uphold the appeal. Mrs. Peterson seconded the motion, and it carried 3:1:0, with Mr. Valenzano voting nay.

The Board further discussed Education Code 48204 which applies to residency based on employment. These transfers are limited to 1% as well and are permissive to the districts.

7. Interdistrict Attendance Appeal Case No. 437.
The parent, Tim Smith, attended the meeting and stated his reasons for requesting an interdistrict attendance appeal. Mrs. Peterson moved that Agenda Item F.7 be tabled until after Agenda Item F.11. Mr. Kunicki seconded the motion, and it carried 4:0.
8. Interdistrict Attendance Appeal Case No. 438.
The parent, Marguerite Armstrong, attended the meeting and stated her reasons for requesting an interdistrict attendance appeal. Mrs. Peterson moved the Board deny Interdistrict Attendance Appeal Case No. 438, based on the District's right, per Education Code 48307, to adopt a 3% cap on the number of pupils transferring out; and on the advice of Legal Counsel that the County Board has no authority to uphold the appeal. Mr. Matthews seconded the motion, and it carried 3:1:0, with Mr. Valenzano voting nay.

Mr. Kunicki moved that the Board meeting be extended to 11:00 p.m. Mr. Matthews seconded the motion, and it carried 3:0. Mrs. Peterson had stepped out of the room.

9. Interdistrict Attendance Appeal Case No. 440.
The parents, Alex and Veronica Solis, attended the meeting and stated their reasons for requesting an interdistrict attendance appeal for their children. Mrs. Peterson moved the Board deny Interdistrict Attendance Appeal Case No. 440, based on the District's right, per Education Code 48307, to adopt a 3% cap on the number of pupils transferring out; and on the advice of Legal Counsel that the County Board has no authority to uphold the appeal. Mr. Kunicki seconded the motion, and it carried 3:1:0, with Mr. Valenzano voting nay.
10. Interdistrict Attendance Appeal Case No. 441.
The parents, Alvaro and Alicia Barrera, and their representative, attended the meeting and stated their reasons for requesting an interdistrict attendance appeal. The representative noted that her research has indicated that a Doctor's note should not be overturned by a lay person. Ms. Townsend noted that the initial application did not cite health reasons. The District responded that the denial letter that was sent to the parent was based on the fact that the initial request did not meet the requirements. By the time the parent provided the additional documentation, the 3% cap had been reached.

Mr. Valenzano requested that Mr. Hurley address the question. Mr. Hurley stated that although there were problems, the District process was reasonable and rationale under the law, and this Board is limited as far as its review tonight.

Mrs. Peterson moved the Board deny Interdistrict Attendance Appeal Case No. 441, based on the District's right, per Education Code 48307, to adopt a 3% cap on the number of pupils transferring out; and on the advice of Legal Counsel that the County Board has no authority to uphold the appeal. Mr. Kunicki seconded the motion, and it carried 3:1:0, with Mr. Valenzano voting nay.

11. Interdistrict Attendance Appeal Case No. 442.
The parents, Alvaro and Alicia Barrera, and their representative, attended the meeting and stated their reasons for requesting an interdistrict attendance appeal. Mrs. Peterson moved the Board deny Interdistrict Attendance Appeal Case No. 442, based on the District's right, per Education Code 48307, to adopt a 3% cap on the number of pupils transferring out; and on the advice of Legal Counsel that the County Board has no authority to uphold the appeal. Mr. Kunicki seconded the motion, and it carried 3:1:0, with Mr. Valenzano voting nay.

The Board returned to Agenda Item F.7, which had been tabled.

7. Interdistrict Attendance Appeal Case No. 437.
The Board returned to Interdistrict Attendance Appeal Case No. 437. The district indicated that they did not have any reservations about the additional information being added to the record. Mr. Smith stated his reasons for requesting an interdistrict attendance appeal.

Mrs. Peterson moved the Board deny Interdistrict Attendance Appeal Case No. 437, based on the District's right, per Education Code 48307, to adopt a 3% cap on the number of pupils transferring out; and on the advice of Legal Counsel that the County Board has no authority to uphold the appeal. Mr. Matthews seconded the motion, and it carried 3:1:0, with Mr. Valenzano voting nay.

Mr. Kunicki moved the Board meeting be extended to 11:30 p.m. Mr. Matthews seconded the motion, and it carried 4:0.

Per the amended agenda, the Board proceeded with Agenda Item B, Public Comments.

B. PUBLIC COMMENTS

1. *Kevin Kildee, Camarillo Resident*
Mr. Kildee stated that the Camarillo Academy for Progressive Education (CAPE) charter application was denied by the Pleasant Valley School District and it will presented it to the County Board of Education. He requested that the charter appeal be put on the June 8th agenda in order to start the timeline. Although the Board will need time to perform its due diligence, and if possible call a special meeting the week of June 20, 2007.

Mr. Matthews asked if the Pleasant Valley School District requested a modified petition be presented. Mr. Kildee noted that the District did say they could bring it back, but they would like to get the Charter School up and running prior to the Fall of 2007. The District would not meet this requested timeline.

2. *Umrao Mayer, Camarillo Resident*
Mr. Mayer stated that he did not recollect that the Pleasant Valley School District asked that the petition be brought back. The families at Los Senderos do not have a lot of options. The program will be moved to a new campus, with a new principal, and not all the teachers. The Open School Philosophy in Camarillo is going to die. The parents submitted a petition as soon as they were notified that the program was going to be moved. I still believe there is a solution and the parents are willing to work with the District, but they don't feel they are given any options.

The teachers will be required to sign a contract on June 26th. The charter school is requesting that the County Board will hold a public hearing on June 8, 2007 and make a determination on June 28th.

Mrs. Peterson asked if the Charter School would be willing to work with the district. Mr. Mayer stated that he would, but it doesn't seem that this is workable.

3. *Cami Pinsak, Camarillo Resident*
Early this year, the Open School program was dismantled. Our parents have had no choice but to submit a charter school application. The Open Philosophy has been moved to another campus, and will become a magnet school at Rancho Rosal. The Open School Philosophy will make up only 20% of the students at that school. This is a neighborhood school and the families may not embrace an Open School program. In Open Schools there are no charts; when the parent toured the school, there were charts in every classroom. This program was moved in 2000, and it was very difficult. Chartering is the only way to sustain our programs. Our decision comes from a desire for excellence and sustainability.

Mr. Kunicki moved that all the Agenda Items but N.1 be tabled, and that the meeting be extended until midnight. The motion failed due to lack of a second.

4. *Chris Parker, Camarillo Resident*
Mr. Parker stated that Pleasant Valley School District did not ask the charter petition to be brought back with modifications. The charter petitioners met with Dr. Davis and the Superintendent, and repeatedly offered to provide additional information. At the public hearing, some of the cabinet members asked questions, which were answered, but they received no response. Districts up and down the State are denied because districts are afraid of charters. The Ventura Unified School District denied the SAGE charter application, but the County Board upheld the appeal, the SAGE has had huge success in the first year.
5. A speaker card was submitted by Christine Johnson; she was no longer in attendance.

Per the amended agenda, the Board proceeded with Agenda Item G, Preliminary.

G. PRELIMINARY

1. Approval of Minutes of Regular Meeting of March 19, 2007.
Mrs. Peterson moved the Minutes of the Regular Meeting of March 19, 2007 be approved. Mr. Matthews seconded the motion, and it carried 3:0:1 with Mr. Kunicki abstaining.
2. Approval of Minutes of Regular Meeting of April 13, 2007.
Mr. Valenzano requested the following changes: Agenda Item L.5, page 7 of 12, change “member’s” to “County Board’s”; and page 8 of 8, strike last line of first paragraph.

Mr. Matthews moved the Minutes of the Regular Meeting of April 13, 2007 be approved as amended. Mrs. Peterson seconded the motion, and it carried 4:0.

3. Approval of Minutes of Regular Meeting of April 23, 2007.
Mr. Valenzano requested the following change: Agenda Item O, He ~~suggested~~ requested that the Board cancel ...”

Mr. Matthews moved the Minutes of the Regular Meeting of April 23, 2007, be approved as amended. Mrs. Peterson seconded the motion, and it carried 4:0.

Dr. Weis noted that the deadline for an item to be received and placed on the June 8, 2007 agenda is May 29, 2007.

H. CORRESPONDENCE

1. E-mails from various PVSD parents regarding Camarillo Academy of Progressive Education Charter school petition.
2. Letter from Christine Johnston, dated April 15, 2007, addressing complaints filed with Fillmore Unified School District regarding the inter-district transfer policy.
3. CCBE Request for completion of survey to evaluate the CCBE/CCSESA/PTA Joint Annual Spring conference. Response requested by May 18, 2007. Survey e-mailed to Board members on May 7, 2007.

I. PRESIDENT’S AND BOARD MEMBERS’ REPORTS

1. Mr. Valenzano reported that he toured the Conference Center with Mr. Hanson and a realtor to find a tenant for the unimproved portion of the Conference Center.
2. Mr. Matthews reported that he and Mrs. Peterson had a successful meeting with Dr. Weis regarding the Superintendent’s salary. Mrs. Peterson noted that when the staff produces goals, they will be brought to the Board for input. This will be a more collaborative effort. This is a continuing process that will be fine tuned.

3. Mr. Kunicki reported that he attended the PVSD Board meeting in Camarillo. He shared the following information with the charter school applicants. He urged the applicants to work with the local school district. In the district's opinion, the charter petition was deficient. The district commented that they are to review the final charter, and therefore there was no give and take. He cautioned the charter petitioners that if they appeal to the County Board, to request a public hearing on June 8th and to anticipate action by June 28th is not realistic. The charter petition review performed by the County Office is very rigorous. Mr. Kunicki noted that this Board has been friendly to charters, but he looks at all charters as a start up business and their fiscal health is imperative. He would like to see one, three, and five year financial plans. He heard issues raised that this charter would hurt the finances of PVSD and he will ask staff to research this issue. He said that the charter has done so much work with PVSD already, and he feels these issues should be fixed at the local level. He will not make a decision until he is assured and comfortable with all the information.

Mr. Valenzano moved to dismiss the order of the Order of the Day and proceed to Agenda Item N.1. Mrs. Peterson seconded the motion, and it carried 4:0.

N. DISCUSSION/INFORMATION/ACTION

1. Adoption of New Federal Assurance Statements to Align with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)
Dr. Dritz stated that the California State Board of Education has recently adopted new Federal Assurance Statements to align with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) and the new Federal Regulations which became effective October 13, 2006. As a condition of federal and state special education funding each SELPA-member LEA is required to adopt the new 2007 Federal Assurance statements prior to June 30, 2007. Assurance statements have been added to the Ventura County SELPA Local Plan, replacing the Assurance Statements that were added after the passage of IDEA 1997. Assurances #23 through #29 are all new as a result of provisions in IDEA 2004. Every Board, as a member of the SELPA, must approve these assurance statements.

Mrs. Peterson asked if Magnet Schools have to follow the same type of ratios as the local school districts. Dr. Dritz noted that they do, as magnet schools are run by local school districts.

Mrs. Peterson moved the Board approve the new Federal Assurance Statements to Align with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004). Mr. Kunicki seconded the motion, and it carried 4:0.

The Board returned to Agenda Item I.4, Board Member Reports.

I. PRESIDENT'S AND BOARD MEMBERS' REPORTS

4. Mr. Valenzano reviewed the Upcoming Events and asked that Board members notify the Office if they plan to attend.

J. SUPERINTENDENT'S REPORT

Dr. Weis distributed copies of the Superintendent's Report.

K. LEGISLATIVE REPORT

1. Mrs. Peterson reported that she will provide a legislative report at the next meeting.

L. CONSENT/ACTION

1. Temporary Certificates
Mr. Matthews moved the Board approve 128 Temporary Certificates issued by the County. Mrs. Peterson seconded the motion, and it carried 4:0.

Per the amended Agenda, the Board proceeded with Agenda Item N.2.

N. DISCUSSION/INFORMATION/ACTION

2. Report on Activities of Lobbyists and Possible Support of AB911
Mrs. Peterson moved this item be postponed until the June 8, 2007 meeting.
Mr. Matthews seconded the motion, and it carried 4:0.
3. Board Legal Counsel Statement for Services
The Board Legal Counsel's statement for review of Lobbyist contracts was presented for the Board's information and review.

O. BOARD MEMBER COMMENTS

None.

P. FUTURE AGENDA ITEMS

1. Public Hearing on CAPE Program, contingent upon the submission of the Charter Petition appeal by May 29, 2007 (June 8, 2007).
2. Establish a Formal Relationship between NAI Capital, Commercial Real Estate Services, and the County Board of Education. (Requested by Mr. Valenzano, June 8, 2007)

3. Rental of Space to SELPA and the Development of a Board Policy on Rental of Facilities. (Requested by Mrs. Peterson, June 8, 2007).
4. Completion of Unimproved Space in Conference Center (drop ceilings and duct work) so building is ready for Tenant Use. (June 8, 2007)
5. Report on Activities of Lobbyists and Possible Support of AB911 (Tabled to June 8, 2007)
6. Resolution to Transfer the Duties and Powers from the Ventura County Committee on School District Organization to the Ventura County Board of Education (June 28, 2007).
7. Adoption of Science Textbook (June 28, 2007).
8. Report on VCOE Preparedness Plan for Pandemic Avian Flu (Requested by Mr. Kunicki / TBD).
9. EMT Program Offered through ROP (Requested by Mr. Valenzano / TBD).
10. Framework for Developing a Performance Review of the Ventura County Office of Education (TBD).

Q. FUTURE MEETINGS

Date: Friday, June 8, 2007
 Time: 8:00 a.m.
 Location: 5189 Verdugo Way, Conejo Room, Camarillo
 Purpose: Regular Meeting of the Board

Date: **Thursday, June 28, 2007**
 Time: 6:00 p.m.
 Location: 5189 Verdugo Way, Conejo Room, Camarillo
 Purpose: Regular Meeting of the Board

Date: Friday, July 6, 2007
 Time: 8:00 a.m.
 Location: 5189 Verdugo Way, Conejo Room, Camarillo
 Purpose: Regular Meeting of the Board

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

BOLD denotes modified schedule

R. ADJOURNMENT

The meeting adjourned at 11:28 p.m.

Approved by Board Action on 7/13/07.

*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.*