

**VENTURA COUNTY BOARD OF EDUCATION
MINUTES OF REGULAR MEETING OF
JULY 28, 2008**

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. 08-17, was called to order by Mr. Chris Valenzano, Board President, at 6:00 p.m. on Monday, July 28, 2008, 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 Mr. Valenzano, 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
Lee Elder, Provisional Appointee, Area 5

VCOE Personnel Present:
Dr. Cary Dritz, Associate Superintendent, Student Services
Sandra Shackelford, Associate Superintendent, Educational Services
Nancy Manley, Executive Assistant to the County Superintendent

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

B. PUBLIC COMMENTS

The following members of the Public addressed the Board.

1. *Jodell Haws, Simi Valley resident, and President of the local chapter of the Americans United for Separation of Church and State*
Ms. Haws stated the concerns of the chapter of the Americans United for Separation of Church and State, pertaining to the new contracts with the lobbyist firms of Capitol Venture and Anchor Consulting. Ms. Haws requested an agenda item, with a 20 minute time limit, specific to these concerns, and requested that the Americans United for Separation of Church and State be allowed to submit a list of questions to be addressed.

C. HEARINGS

1. Interdistrict Attendance Appeal Case No. 486.
Mr. and Mrs. Savaris were in attendance. Due to summer vacations, no district representatives were in attendance. Mr. Bates moved the Board uphold Interdistrict Attendance Appeal Case No. 486, based on transportation hardship; and set the duration of the release at two school years. Mr. Valenzano seconded the motion, and it carried 4:1, with Mr. Elder voting nay.
2. Supporting Documents from Fillmore Unified School District
Evalene Townsend, Director of Human Resources and Pupil Personnel Services; was in attendance representing the Fillmore Unified School District. Mrs. Townsend presented a sample CSBA Administrative Regulation on Interdistrict Attendance Permits noting that Education Code 46601.5 which had encouraged districts to consider child care needs when evaluating a parent/guardian's request for an interdistrict transfer, sunset on June 30, 2007, and thus is no longer law. Fillmore Unified School District therefore chose to no longer grant transfer permits based on child care as they provide child care at their schools.

Mr. Kunicki moved the Board table Agenda Items C.3, C.4, C.5 and C.6 until Board Legal Counsel could provide clarification on the Education Code pertaining to childcare, and to consider calling a Special Meeting if needed. Mr. Bates seconded the motion.

After further discussion, the Board called a break for the purposes of contacting Board Legal Counsel.

At the conclusion of the break, Mr. Valenzano reported that the Board's Legal Counsel advised that the Board can hear these cases and take into consideration childcare needs. The elimination of Education Code 46601.5 that encouraged districts to consider childcare needs of students, when it was deleted, did not prohibit the districts from doing so. It also in no way affected the Board's permissive powers under Education Code and Board policy to take into consideration special needs of students and parents.

Mr. Valenzano requested a vote on the motion, to table Agenda Items C.3, C.4, C.5 and C.6 until Board Legal Counsel could provide clarification on the Education Code pertaining to childcare, and to consider calling a Special Meeting if needed. The motion failed 0:5.

Mrs. Townsend continued with her presentation. She distributed copies of API scores for schools within the Fillmore Unified, Ventura Unified and Briggs Elementary School Districts.

3. Interdistrict Attendance Appeal Case No. 487.
The Board heard Interdistrict Attendance Appeal Case Nos. 487 and 488 together.

4. Interdistrict Attendance Appeal Case No. 488.
Mr. and Mrs. Webster were in attendance. Evalene Townsend, Director of Human Resources and Pupil Personnel Services, was in attendance representing Fillmore Unified School District. Mrs. Webster distributed a letter from her employer. Mr. Kunicki moved the Board uphold Interdistrict Attendance Appeal Case No. 487 and Case No. 488, based on stability of education situation and childcare; and set the duration of the release at the balance of the students' academic careers. Mr. Valenzano seconded the motion, and it carried 4:1, with Mr. Elder voting nay.
5. Interdistrict Attendance Appeal Case No. 490.
Mrs. DeZavala was in attendance. Evalene Townsend, Director of Human Resources and Pupil Personnel Services, was in attendance representing Fillmore Unified School District. Mr. Valenzano moved the Board uphold Interdistrict Attendance Appeal Case No. 490, based on stability of education situation; and set the duration of the release at two school years. Mr. Kunicki seconded the motion, and it carried 4:1, with Mr. Elder voting nay.
6. Interdistrict Attendance Appeal Case No. 491.
Mrs. Aragon was in attendance. Evalene Townsend, Director of Human Resources and Pupil Personnel Services, was in attendance representing Fillmore Unified School District. Mr. Bates moved the Board uphold Interdistrict Attendance Appeal Case No. 491, based on stability of education situation; and set the duration of the release at through 8th grade for each child. Mr. Elder seconded the motion, and it carried 5:0.

The Board took at 10 minute recess at 7:30 p.m.

D. CLOSED SESSION

None.

E. PRELIMINARY

1. Approval of Minutes of Regular Meeting of June 30, 2008.
2. Approval of Minutes of Regular Meeting of July 9, 2008.

Mrs. Peterson moved the Minutes of Regular Meeting of June 30, 2008 and July 9, 2008 be approved. Mr. Elder seconded the motion, and it carried 5:0.

F. CORRESPONDENCE

1. June 26, 2008 letter from Miller Brown Dannis, regarding "Reminder: Significant Brown Act Amendment Takes Effect on July 1, 2008." (*This law firm serves a variety of California school district, and regularly publishes bulletins on enactment of recent legislation. This bulletin was sent to all school districts and County Offices of Education in California*)

2. May 29, 2008 letter from the Los Angeles County Office of Education regarding the policy and practice of the Los Angeles County Office of Education as related to interdistrict attendance requests (*this correspondence was provided at the request of Mr. Valenzano*). This may be agendized at a future meeting.
3. July 9, 2008 letter from CSBA requesting nominations for Outstanding Legislator of the Year.

G. PRESIDENT'S AND BOARD MEMBERS' REPORTS

1. Mr. Valenzano commented that he has a concern regarding how mail is handled at the Office. He just received a letter dated July 1, 2008, from Mr. Ken Prosser, School Business and Advisory Services, regarding Unification on the November ballot. The letter indicated that the Board President is responsible for filing an argument by July 30, 2008; and the letter was received at the Board meeting that day. Mr. Valenzano would like to find a new way to expedite mail to Board members.

H. SUPERINTENDENT'S REPORT

Dr. Dritz distributed information on the following activities of the Office:

1. Letter from Mr. William Cirone, Santa Barbara County Education Office, dated June 25, 2008, Re: "California High School Exit Examination (CAHSEE) Intensive Instruction and Services Program."
2. Newspaper Articles relative to activities of the Office.
3. Newspaper Articles relative to the Superintendent's search.

I. LEGISLATIVE REPORT

1. Mrs. Peterson distributed copies of a CCBE Legislative Committee report and Federal Legislative Update. Most bills that have funding attached have been put in the suspense file. However, SB606 (Perata), did go to the Senate but failed by one vote. This bill would delay the school improvement sanctions as there is no money to support their efforts. County Superintendents have been asked to contact their local papers regarding this bill. Mrs. Peterson also noted SBX13 (Cox) which would eliminate First Five Commissions. CCSESA has taken an oppose position to this bill. SB606 (Perata) and SBX13 (Cox) will be agendized for discussion and possible action on August 13, 2008.

A supplemental was passed by Congress that did include funding for the Medicaid reimbursement program (MAA). The Secure Rural Schools funding will not likely pass until September and there is an effort to restore the Reading First program for rural schools which has been zero lined. These bills will also be agendized for discussion and action on August 13, 2008. Mrs. Peterson will provide the wording and documentation for these items.

J. CONSENT/ACTION

1. Temporary Certificates
2. Disposal of Property
3. Annual Parent Notification for Students Served by the Ventura County Office of Education

Mr. Valenzano moved the Board approve Consent Action Items 1-3. Mr. Bates seconded the motion, and it carried 5:0.

K. PRESENTATIONS

None.

L. DISCUSSION/INFORMATION/ACTION

1. Report from Subcommittee on Superintendent's Search
Mrs. Peterson reported on the status of the Subcommittee on Superintendent's search to date. Mrs. Peterson noted that there are many high quality applicants from both inside and outside the County. Dr. Thomas is providing the candidates with information on Ventura County and the strengths of the County Office of Education.
2. Review of Board Expenditures on Memberships in CSBA, CCBE and CSBA Legal Alliance
This item was tabled from June 30, 2008. The following members of the public spoke in support of continued memberships in CSBA, CCBE and CSBA Legal Alliance:

Janet Lindgren, Camarillo resident
Val Rains, Camarillo resident
John Walker, Ventura resident

A letter from Scott Plotkin, Executive Director, CSBA, regarding Membership Benefits was distributed. Mr. Bates reported that the Board spent \$27,413 in the previous fiscal year for CSBA, CCBE and CSBA Legal Alliance, including membership and travel and Masters in Governance participation costs. Mr. Bates asked that the Board review their participation in these organizations, believing that this should be done every few years.

The Board expressed numerous concerns related to the activity of, and communication from, CSBA and CCBE and CSBA Legal Alliance. The Board also their expressed concern regarding the search firm proposal presented by CSBA. The initial proposal was 180 degrees different from that proposed at the next meeting. This change was done with no explanation.

Mr. Valenzano moved the time limit on this item be extended by 10 minutes. Mr. Kunicki seconded the motion, and it carried 5:0. After further discussion, Mr. Kunicki moved the time limit on this item be extended until 8:40 p.m. Mr. Elder seconded the motion, and it carried 5:0.

Mr. Walker indicated that he had taken notes on the Board's concerns. He invited Board members to attend and participate in legislative action days and other CSBA/CCBE sponsored activities. Mr. Walker highlighted CSBA correspondence that is sent on a regular basis.

Mr. Valenzano suggested an annual report from CSBA that described the actions of CSBA that impact the students of the Ventura County Office of Education. Mr. Bates asked about what CSBA has done for Migrant Education. Mr. Kunicki requested this item be agendized again; date to be determined, as he received a request for public comments.

3. Board Legal Counsel Statement for Services
The June 2008 statements for services, provided by Board Legal Counsel, Henry Kraft, pertaining to general services requested and existing litigation, Governing Board of Fillmore USD v Ventura County Board of Ed., were attached for the Board's information and review.

M. BOARD MEMBER COMMENTS

None.

N. FUTURE AGENDA ITEMS

1. Continued Review of Board Policy Series 9000, including Revisions to Board Policy Nos. 9130 and 9271 (requested by Mrs. Peterson on 4/28/08); Revisions to Board Policy 9314 (requested by Mr. Valenzano on 4/28/08, TBD).
2. Posting of Board Policies and other Board information on website (requested by Mr. Valenzano, TBD).
3. Discussion of School Districts of Choice, including correspondence F.2 from 7/28/08 (requested by Mr. Valenzano, TBD).
4. SB606 (Perata), SBX13 (Cox), Secure Rural Schools funding and Reading First funding (requested by Mrs. Peterson, 8/13/08).
5. Review of Board Expenditures on Memberships in CSBA, CCBE and CSBA Legal Alliance (requested by Mr. Kunicki to allow for Public comments, TBD).
6. Resolution in Support of Not Diverting Early Childhood Education funds (requested by Mr. Kunicki, TBD).

7. Resolution in Opposition to a Mental Health Facility. Mr. Kunicki and Mr. Valenzano will investigate this issue further and draft a resolution to be brought to the Board (requested by Mr. Kunicki, TBD).
8. Presentation on a Youth and Young Adults in America. Staff was asked to research this and determine whether an agenda item was warranted (requested by Mr. Valenzano, TBD).

O. FUTURE MEETINGS

Date: ***Monday, August 11, 2008***
Time: 9:00 a.m.
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Special Meeting of the Board

Date: Wednesday, August 13, 2008
Time: 8:00 a.m.
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Regular Meeting of the Board

Date: ***Friday, August 15, 2008***
Time: 9:00 a.m.
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Special Meeting of the Board

Date: ***Saturday, August 16, 2008***
Time: 8:00 a.m.
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Special Meeting of the Board

Date: ***Monday, August 18, 2008 (Could Continue to Aug 19, 20)***
Time: TBD
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Special Meeting of the Board

Date: Monday, August 25, 2008
Time: 6:00 p.m.
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Regular Meeting of the Board

Bold, Italics Denotes Modified Schedule

P. ADJOURNMENT

The meeting adjourned at 8:45 p.m.

Approved as amended by Board Action on 8/13/08.

*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.*