

**VENTURA COUNTY BOARD OF EDUCATION
MINUTES OF REGULAR MEETING OF
September 24, 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. 07-18, was called to order by Mr. Marty Bates, President, at 6:00 p.m. on Monday, September 24, 2007, in the Board Room of the Conference & Educational Services Center, 5100 Adolfo Road, 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 - *Absent*

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

Board Legal Counsel
Don Hurley, Assistant County Counsel

3. Approval of Agenda
Mrs. Peterson moved the agenda be approved. Mr. Bates seconded the motion, and it carried 4:0.

B. PUBLIC COMMENTS

1. *Mr. Carl Olson, Woodland Hills Resident*
Mr. Olson distributed a letter regarding a free Federal Online program (E-Verify) which can be used to check the eligibility of employees to work in the United States. He requested the Board adopt this program, and urge local school districts to do so as well.

C. HEARINGS

1. Interdistrict Attendance Appeal Case No. 461.

The parent, Mrs. Gloria Mulberry; and the student, Michael Mulberry; were in attendance. Mr. Sweeney, Superintendent; and Evalene Townsend, Assistant Superintendent; were in attendance representing Fillmore Unified School District. The Fillmore Unified School District provided additional documentation at the time of the meeting.

It was noted that the original transfer application, filed with Fillmore Unified School District, included a request to transfer the student from Fillmore Unified School District to Conejo Valley Unified School District. The interdistrict attendance appeal filed with the County Board, stated a request to transfer from Fillmore Unified School District to Moorpark Unified School District. The parent indicated that this change was made when she learned that Westlake High School was full; and not accepting transfers.

Mr. Kunicki moved the Board remand Interdistrict Attendance Appeal Case No. 461 to the Fillmore Unified School District, with the right for the applicant to resubmit an application stating her request to transfer to Moorpark Unified School District. Mr. Bates seconded the motion, and it carried 3:1, with Mrs. Peterson voting nay.

Mr. Valenzano noted that the County Board cannot direct a local school district to take a specific action. He voiced his concern that Fillmore Unified School District may not respond. The District indicated that it would respond.

Don Hurley reported that County Counsel's Office has determined that it will no longer be providing legal services to the Ventura County Board of Education. This includes the pending writ of mandamus. Mr. Hurley indicated that County Counsel feels that it may be better for the Board and Superintendent to secure the services of a legal firm that specializes in Education Code issues. Mr. Hurley wished the Board success.

Mr. Bates stated that Mr. Hurley has provided excellent service to the Board for the past 13 years. He expressed his regret for County Counsel's decision, but he understands their reasoning in this decision. Mr. Bates thanked Mr. Hurley for his service.

D. CLOSED SESSION

None.

The Board took a break at 6:50 p.m.

E. PRELIMINARY

1. Approval of Minutes of Regular Meeting of August 28, 2007.
Mr. Valenzano requested the following changes:

Agenda Item G.1: Delete, “On another note” and add, “*Mr. Kunicki reported that, during their luncheon, Mr. Peters mentioned that ...*”

Agenda Item G.3: Add, “*The Ventura County EMS Agency has indicated that LACOE has an EMT program ...*”

Agenda Item L.6: Add, “*Mrs. Peterson stated that per Roberts Rules ...*”

Agenda Item L.10:

Mr. Kunicki requested that the portion of the tapes pertaining to Agenda Item L.10 be reviewed, in order to clarify whether the advice was given to Mr. Kunicki and Mr. Valenzano, or Mr. Kunicki only.

Mr. Kunicki moved that the requested changes be made to the Minutes of the Regular Meeting of August 28, 2007, and that the minutes be brought back to the next meeting for approval. Mr. Bates seconded the motion, and it carried 4:0.

F. CORRESPONDENCE

1. Agenda from Tuesday, August 28, 2007 Vista Real Charter High School Governing Board meeting. Additional backup materials were available for the Board’s review upon request.

G. PRESIDENT’S AND BOARD MEMBERS’ REPORTS

1. Mrs. Peterson reported on the School of Arts and Global Education Charter School (Ventura Charter). Ventura Charter received an API score of 851 in their first year, and their budget is good.
2. Mrs. Peterson recommended the book, “*Yes, Your Teen is Crazy*” to Board members and staff. The book contains the most recent research on brain development.
3. Mr. Valenzano reported on the Conference Center Dedication, and thanked Dr. Weis and staff for their wonderful presentation of the building.

4. Mr. Kunicki reported that he attended the VCOE Stars event and was impressed with the live broadcast from Channel Islands. He complimented staff for this magnificent presentation. It is his understanding that the Office is now linked to almost every district in the County. Mr. Kunicki also commended Mr. Bates for his speech during the Conference Center Dedication.

H. SUPERINTENDENT'S REPORT

Dr. Weis reported on the following activities of the Office:

1. Dr. Weis thanked the Board members for attending the VCOE Stars, and congratulated staff for their work on this event. Mr. Valenzano requested copies of the pictures taken.
2. Information on Previous Legal Opinions on Interdistrict Transfers.
3. Recap of requested information relative to "Special Education" space utilization, requested by Marty Bates. Mr. Bates asked that this information be included as an information item on the October 12, 2007 Board Meeting Agenda.
4. E-mail regarding Draft Proposal for Grace/Education's Best 091907.doc
5. Letters of appreciation to Mr. Michael Viola and Mr. John McMurray for their donations towards refreshments provided at the building dedication.
6. Letters of invitation to Governor Schwarzenegger and Superintendent O'Connell to visit Ventura County ROP.
7. Legislative report on two Interdistrict Attendance Programs Reauthorized, *SchoolNet – August 29, 2007*.
8. Newspaper Articles relative to activities of the Office:
9. Sponsor Information for County Student Competition Events.
Dr. Weis asked that Board members distribute these flyers to business officials that may be interested in sponsoring Student Competition events.

I. LEGISLATIVE REPORT

1. Mrs. Peterson reported on a recent newspaper article pertaining to the possibility of incorporating the dropout rate into the API. Dr. Weis stated that no plan for doing this has been developed yet, nor has the proposal been adopted.
2. Mrs. Peterson reported that AB1379, dealing with multiple measures for CAHSEE, as well as a bill for a diploma for bi-literacy, are on the Governor's desk awaiting signature.

J. CONSENT/ACTION

1. Temporary Certificates
2. Travel Expense Claim

Mr. Valenzano moved that Consent Items 1 and 2 be approved. Mrs. Peterson seconded the motion, and it carried 4:0.

K. PRESENTATIONS

1. Presentation on ROP Marketing Program
Peggy Velarde, Executive Director, Career & Technical Education; Kimberly McGinnis, Principal, ROP; Suzanne McKean, Fashion Retail/Merchandizing instructor; and Ted Tytell, Graphic Design instructor; presented a powerpoint on the ROP Marketing program. Copies of the powerpoint presentation were given to all Board members.

Last year, the Board challenged the ROP to develop a marketing campaign to raise awareness of the ROP program and its value to students. The marketing campaign was also used to strengthen business, school district, and community partnerships; to assist high school counselors in getting the word out about ROP and Career Technical Education; and to identify barriers, challenges and obstacles that ROP faced at the local districts.

Throughout the year, presentations were made at local campuses, career fairs, Rotary Clubs, and Chambers of Commerce. Parent nights were developed and campus tours were given as part of the annual car show. Through this student/parent contact, it was determined that: students still don't know what ROP is, what it has to offer, and how relevant the training is; ROP needs to make registration / distribution of information easier for school district Counselors; and that block schedules have impacted the ability to bus students to the Camarillo campus. Parents were unaware of the availability of Night Classes, and the low/no cost of ROP enrollment. ROP is still dealing with the misperception that ROP is for dropouts, or for gang members. There is a need to continue ongoing community outreach, to introduce people to what ROP is and what it does.

The goal for this year is to continue presentations to students/parents/community; provide additional in-service to counselors; develop promotional items; simplify the ROP class schedule format; create a Career Fair at the ROP Main Campus; increase the number of tours; and develop an ROP promotional video and radio spots. Slick marketing materials are needed for today's savvy students. These brochures could then be distributed to students and the public sector alike. Finally, an ROP ad was created for the local ROXY Theatre.

Mr. Bates requested that the ROP bring a proposed budget of the cost to produce the needed marketing tools, including advertising. The marketing campaign should target the general public in some way.

Mr. Valenzano asked if the ROP has seen an increased interest in courses offered. Mrs. Velarde noted that ROP has had to open extra sessions, and have had to turn students away.

Mr. Valenzano stated his disappointment that no new name was suggested. Mr. Bates also stated that even in Sacramento there is a sense that the name "ROP" needs to be changed. He suggested a contest for a new name among the general public. Mrs. Velarde noted that some ROPs across the State have changed their name to Career-Technical Education, and that this discussion continues at the State level.

Mr. Kunicki requested that all Board members receive a copy of the ROP CD when it is ready. This could be used as a marketing tool. Mr. Kunicki asked if a flyer could be included in the Focus on Education for a full year. Dr. Weis noted that the ROP already purchases the back half-page of this publication. Mrs. Peterson suggested that the link for ROP be close to the ZANGLE link on the VCOE website, in order to make it more visible. Mr. Valenzano suggested distributing a course schedule brochure, like that put out by the Community Colleges, via direct mail.

Dr. Weis noted that if a large marketing campaign is undertaken, there will be more students hoping to enroll. There is already more interest than spaces for students. There will need to be more facilities.

Mr. Kunicki summarized that the Board is enthusiastic about ROP. He requested that the ROP develop a budget, with some dreams. He reminded staff that the Board has hired lobbyists and maybe the lobbyists can develop some funding for the program. He requested that staff share as much information as possible, and the Board will take it to the lobbyists.

The Board took a break at 7:57 p.m.

L. DISCUSSION/INFORMATION/ACTION

1. PUBLIC HEARING and Approval of Resolution 07-03 Regarding Sufficiency/Insufficiency of Instructional Materials
 - a. Mr. Bates opened the PUBLIC HEARING on Resolution 07-03 regarding the sufficiency/insufficiency of instructional materials per Education Code Section 60119 and 60422(b), at 8:08 p.m.

Mr. Carl Olson, Woodland Hills Resident

Mr. Olson noted that there is an insufficiency in the instructional materials. He requested that each Board ensure that their instructional materials are accurate. He asked that the Board consider this before determining whether the instructional materials are sufficient.

- b. Hearing no additional Public Comments, Mr. Bates closed the PUBLIC HEARING at 8:09 p.m.

Dr. Weis noted that Sufficiency / Insufficiency of Instructional Materials relates to an adequate number of instructional materials for each student.

Mr. Valenzano moved the Board adopt Resolution 07-03 regarding the sufficiency / insufficiency of instructional materials. Mrs. Peterson seconded the motion, and it carried 4:0.

2. Discussion of Possible Contract of Board Legal Counsel for General Education Issues

Mr. Bates noted that the Board has received the resignation of the County Counsel tonight; with this resignation, it is imperative that the Board move forward with the hiring of new legal counsel. Mr. Kunicki noted that Mr. Hayashida was in attendance. The packets were distributed on September 14, 2007.

Mr. Bates stated that it is not a new precedent for the Board to employ an attorney for a specific cause. Mr. Hayashida noted that he is a partner in the law firm of Parker Covert, LLP. This firm specializes in Education law. They are an A-B rated law firm, one of the top rated firms in terms of legal skills, knowledge, and ethical conduct. The Education Code is the second largest body of law in the State, and their firm is very knowledgeable about the Education Code. Their firm handles a large number of student related matters. Mr. Hayashida's specialty is Federal and State Court litigation.

Mr. Kunicki reminded the Board that the firm of Atkinson, Andelson, Loya, Ruud & Romo, had been hired to address the County Committee issue; but this firm also represents Fillmore Unified School District. When the 3% cap issue began, due to the potential conflict of interest, Mr. Kunicki approached Atkinson, Andelson, Loya, Ruud & Romo and asked for another firm to work with, that specialized in Education Code issues. Mr. Hayashida assisted Mr. Kunicki with this issue and gave advice on a pro-bono basis. Mr. Kunicki reported that he did talk with three other law firms, but was most impressed with Mr. Hayashida.

Mrs. Peterson asked Mr. Hayashida if his firm represented the LA Office for Special Education issues. Mr. Hayashida indicated that their firm did. The rate structure would be the same as the rate schedule of Atkinson, Andelson, Loya, Ruud & Romo.

Mrs. Peterson reported that the Board is currently involved in two cases/issues: the Camarillo Unification and the current Writ with Fillmore Unified School District.

Mr. Hayashida stated that he has not reviewed these cases; however, the Writ will probably be addressed through additional writs. The parties of interest, the parents, are probably working hard to address this issue as well. His guess is that this case would require between 30 – 40 hours. Mrs. Peterson asked if the firm of Parker Covert, LLP would agree to a clause that states that the firm cannot represent any other school districts in Ventura County. Mr. Hayashita responded that the firm currently represents Hueneme School District.

Mr. Valenzano clarified that the Board would understand that the Fillmore case may take more than 30 – 40 hours, and that the Board would not hold the firm to this estimate. Mr. Valenzano further explained that the Board has submitted a resolution to the State Board of Education requesting that the duties and powers of the Ventura County Committee on School District Organization be transferred to the County Board.

Mr. Bates asked if the firm is prepared to enter into a contract to address the existing litigation; as well as other educational issues as needed. Mr. Hayashida noted that the contract he has with him, would allow his firm to address additional educational issues as requested. Mr. Bates noted that Mr. Hurley has agreed to provide any information relating to the Fillmore case. Mr. Bates suggested that Mr. Hayashida contact Mr. Hurley directly.

Mr. Kunicki questioned if the work is portal to portal; or if there is a separate agreement for a flat fee for expulsions or interdistricts? Would it be legal to have Mr. Hayashida participate in hearings via teleconference to save travel expenses? Mr. Hayashida responded that the firm does not currently have video conferencing available. He will however be available via phone or would be available to come to the meeting.

Mr. Valenzano moved that the Board retain the legal services of Parker & Covert, LLP, for the matter relating to the Fillmore Unified School District; and that the firm of Parker & Covert, LLP provide a contract that states they will address this issue as well as other general educational matters, as directed by the Board President. Mr. Kunicki seconded the motion, and it carried 4:0.

The Board President will execute the requested contract and a copy will be forwarded to all Board members. All legal information regarding the Fillmore issue will immediately be forwarded to Mr. Hayashida.

It was clarified that Mr. Hayashida would act as the Board's attorney, not for the Office.

Mrs. Peterson stated her reservations that Mr. Hayashida is not local, and the anticipated resulting travel costs. Mr. Valenzano requested a Closed Session at the next meeting. Mr. Bates asked that Mr. Hayashida contact Mr. Hurley's office as soon as possible.

Mr. Valenzano moved the meeting be extended to 9:30 p.m. Mrs. Peterson seconded the motion, and it carried 4:0.

3. Report on EMT Program Offered through the Regional Occupational Program
Mrs. Velarde reported that the Regional Occupational Program has been studying the feasibility of offering an Emergency Medical Technician (EMT) program. LACOE, Moorpark Community College and Ventura Community Colleges were contacted. This program is usually targeted for adults over 18 years of age, due to age restrictions on required portions of the program. Due to various liability issues, most have moved away from offering the EMT programs, and have instead begun offering the First Response systems.

Mrs. Velarde reported that, based on her research, she would suggest that the ROP begin a First Responder Program rather than an EMT Program. In Ventura County, the existing EMT programs are having trouble meeting the clinical experience in ER room requirements. Students must be 18 to participate in the required ride-along training. The required maturity level is a concern, as the younger students are often not able to meet the required sensitivity level. Finally there is a new requirement that the number of adults in ROP programs be limited.

The First Responder Program provides alot of the foundation skills for the EMT Program – anatomy, physiology, basic skills – and the First Responder Program articulates with the Community College programs. All three Community Colleges, and Simi Valley and Oxnard Adult Schools offer this program at this time.

Mr. Valenzano stated that he does not agree with the route that the ROP has suggested. He stated that AMR, Lifeline and GoldCoast all accept interns. The problem in the ER is the result of the overlap of the clinical portion of the various specialties; everyone comes to this portion of the class at the same time. Moorpark and Simi Valley do have students in area ERs and there are students at St. Johns hospital as well. There is availability. The 18 year old requirement could be addressed, as some students turn 18 during the school year.

There are a large number of jobs that require EMT certification. Ambulance workers, Firefighters, and Police get additional funds for EMT certification.

Mr. Valenzano noted that this may not be an ROP program, but maybe it is something the Board should look at providing through some other means. He would like to pursue the First Responder Program through the ROP.

Mr. Kunicki stated that AMR is potentially looking at funding for this program and questioned if there was some other vehicle that the office could use to provide this program, if AMR were to fund it. Mrs. Velarde noted that there are currently five public agencies and one private entity that provide this training, and asked if the Board feels they need to provide this service.

Mrs. Velarde further noted that ROP is under K-12 funding, and a cap on the number of adults that can be served has been imposed. By 2010, only 10% of the population served by the ROP can be adults.

Dr. Weis asked if staff has any experience running programs that are not funded through the State. Mrs. Velarde responded that, years ago, a private corporation had the Office run a program.

Mr. Bates noted that Simi Valley Adult School is well known for their adult education respiratory education program. Mr. Kunicki suggested that staff send a copy of this report to Mr. Peters, and that Mr. Peters be allowed to contact Mrs. Velarde directly, and together they could determine if this is worth pursuing. Dr. Dritz stated that it would be appropriate for the lobbyist to contact Mrs. Velarde.

Mrs. Velarde noted that the First Responder Course could provide good foundation skills for a host of medical fields. Mrs. Peterson asked if it was a two semester course, could this be created to meet the A-G requirement. Mrs. Peterson asked why AMR has a lobbying firm. Mr. Valenzano researched the contact between AMR and Lobbyist firm, and found that Mr. Peters was a consultant for the California Ambulance Association.

Dr. Dritz noted that if we were to develop a First Responder Course, AMR could provide equipment which is very expensive. The Office could provide this course in partnership with the Community Colleges.

Mrs. McGinnis added that the student / pupil ratio has to be 10:1, which means hiring an additional instructor, and the instructor must visit the student once in the 8 hour clinical. Mr. Valenzano noted that Mrs. McGinnis' statement pertains to Riverside County and does not apply to Ventura County.

Mr. Bates requested that the report be forwarded to the lobbyists. Mrs. Peterson asked if it is the Board's direction to move forward with the First Responder Program. The Board will first see what the lobbyists can do towards securing funding.

This item was presented for information only.

4. Resolution No. 07-04 Gann Limit Recalculation for 2006-07 and Estimated Limit for 2007-08

Mr. Mantooth distributed copies of the Pocket Budget from School Services. Mr. Mantooth noted that this is an annual procedural requirement that the Gann Limit be adopted. The Office Gann Limit is \$71 million and the Office's appropriations are \$21 million.

Mr. Kunicki moved the Board adopt Resolution No. 07-04, identifying the 2006-07 actual Gann appropriation limit and the 2007-08 estimated appropriation limit calculations. Mrs. Peterson seconded the motion, and it carried 5:0.

5. Upcoming State Board of Education Hearing on Transfer of the Duties and Powers of the Ventura County Committee on School District Organization to the Ventura County Board of Education

Dr. Weis reported that the SBE has received the request of the County Board to transfer the duties and powers of the Ventura County Committee on School District Organization to the County Board. The SBE will hear the County Board's request at its November 2007 meeting. The Office has received and responded to a request for information regarding this proposed transfer of duties and powers including: more detailed information on historical school district organization in Ventura County; and the Chair of the County Committee has been asked to write a response that represents the County Committee's perspective on the County Board's request.

Mr. Mantooth clarified that the May 2005 letter is a past letter sent by the VCCSDO. There has been a subsequent request asking that the County Committee submit an additional response by October 1, 2007. Mr. Valenzano asked that a copy of that letter be sent to the County Board members.

Mr. Kunicki suggested that Mr. Valenzano and Mr. Bates attend the November meeting of the SBE. Mr. Bates appointed a subcommittee of himself and Mr. Valenzano to research the issue and determine whether the subcommittee should attend. Mrs. Peterson suggested that the attorney attend as well. Mrs. Peterson raised a concern regarding any implications of this item being heard on the same date as the Unification Issue.

This item was presented for information only.

6. Ratification of 2007-08 Organizational Goals & Objectives

Dr. Weis reported that on August 28, 2007, the 2007-08 Goals and Objectives for the Office were presented and the Board provided additional input. Goal 2.E was added, and the revised 2007-08 Goals and Objectives are now being presented for ratification. Mr. Kunicki moved the Board approve the 2007-08 Organizational Goals & Objectives. Mr. Bates seconded the motion, and it carried 4:0.

7. Board Legal Counsel, Atkinson, Andelson, Loya, Ruud & Romo, Statement for Services

The statement for services from Board Legal Counsel, Atkinson, Andelson, Loya, Ruud & Romo, was presented for the Board's information and review. Mr. Valenzano noted that these charges are correct.

8. Nominations for CSBA Directors-at-Large, American Indian and Black

Mr. Carl Olson, Woodland Hills resident

Mr. Olson distributed a copy of the California Civil Rights Initiative, and stated that the State is not to grant preferential treatment to any individual on the basis of race. He suggested that the Board object to the request by CSBA, as it could be a violation of the law. No action was taken on this item.

9. Nominations for CCBE County Office of Education Exemplary Program Award

Mrs. Peterson recommended Channel Islands LIVE for this award. It was requested that staff investigate this further. Mr. Kunicki requested that staff bring back any other programs that they feel should be nominated. No action was taken on this item.

M. BOARD MEMBERS COMMENTS

None.

N. FUTURE AGENDA ITEMS

1. Continuation of Discussion of Goals / Roundtable in order to provide continued direction to the Lobbyists. (Requested by Mrs. Peterson, October 12, 2007 or later meeting).
2. Formal Relationship between NAI Capital, Commercial Real Estate Services, and the County Board of Education (Requested by Mr. Valenzano, TBD).
3. Report from Board Subcommittee on Teacher Housing (Requested by Mr. Kunicki / TBD).
4. Board Policy on Actions of Subcommittee Members (Requested by Mr. Kunicki / TBD).
5. Report from Capitol Venture, LLC (requested by Mrs. Peterson / TBD).

O. FUTURE MEETINGS

Date: Friday, October 12, 2007
Time: 8:00 a.m.
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Regular Meeting of the Board

Date: **Tuesday, October 23, 2007**
Time: 6:00 p.m.
Location: 5100 Adolfo Road, Board Room, Camarillo
Purpose: Regular Meeting of the Board

BOLD denotes modified schedule

P. ADJOURNMENT

The meeting adjourned at 9:18 p.m.

Approved as Amended by Board Action on 1/28/08.

*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.*