

MONTEREY COUNTY BOARD OF EDUCATION
REGULAR MEETING
AUGUST 21, 2013
APPROVED MINUTES

1. Opening Business

1.1 Call to Order: President Harvey Kuffner called the Regular Meeting of the Monterey County Board of Education to order at 9:01 AM in the Dr. Ray Charlson Board Chambers of the Monterey County Office of Education.

1.2 Roll Call

BOARD MEMBERS PRESENT:

Harvey Kuffner, President	Trustee Area #1
John McPherson, Vice President	Trustee Area #2
Judy Pennycook	Trustee Area #3
Francisco Javier Estrada	Trustee Area #4
Ronald Panziera	Trustee Area #5
Mary Claypool	Trustee Area #6
David Gomez Serena	Trustee Area #7
Dr. Nancy Kotowski, Secretary to the Board	

STAFF TO SUPERINTENDENT:

Garry Bousum
Ginny Brown
Rosa Coronado
Marci McFadden
Sergio Montenegro
Deneen Newman
Colleen Stanley
Carla Stewart

GUESTS:

Melanie Crall
Becki Hadley
Robin McCrae
Stephen Roatch

1.3 Pledge of Allegiance: Garry Bousum led the Pledge of Allegiance.

1.4 Adoption of Agenda

Changes, additions (based on Board Bylaw 9322 – Provision of Emergency/Urgency), and approval of the Agenda as presented. 2/3 vote required if any item is added to the Agenda.

1.4.1 Changes to the Agenda: None

1.4.2 Additions to the Agenda: None

1.4.3 Adoption of the Agenda:

MSC 13-14-14 (7-0) Judy Pennycook, Mary Claypool

“That the Monterey County Board of Education adopts the agenda as presented.”

2. Communications

- 2.1 Correspondence: None
- 2.2 Oral Comments from the Public (*Limited to Items not on the Agenda*): Robin McCrae of Community Human Services (CHS) thanked Dr. Kotowski and members of the Board for the donation of crushed rubber for the Genesis House children's play area. She thanked Harvey Kuffner for his leadership on the CHS Board, and also reported that they just received reaccreditation for three years, which is the highest level obtainable. She invited the Board and staff to attend the Genesis House Open House on August 23 from 3 PM to 6 PM.

Becki Hadley reported on the CSEA conference in Las Vegas. She also spoke regarding the TIS Assistant Superintendent position, and inquired about when the position would be advertised.

The Board then moved to Item 7.1.

- 3. Consent Agenda
(*Action Items included on the Consent Agenda are to be approved by one motion unless a Board Member requests separate action on a specified item.*)

MSC 13-14-15 (5-0) John McPherson, Francisco Javier Estrada

"That the Monterey County Board of Education approves the Consent Agenda as presented."

- 3.1 Approval of the Minutes of the Regular Meeting of August 7, 2013
- 3.2 Approval of Teacher Temporary Certificates for August 21, 2013
- 3.3 Second Reading and Approval of Proposed Changes to Board Bylaw 9100, Annual Organizational Meeting
- 3.4 Second Reading and Approval of Proposed Changes to Board Bylaw 9110, Terms of Office
- 3.5 Second Reading and Approval of Proposed Changes to Board Bylaw 9124, Obtaining Legal Services
- 3.6 Second Reading and Approval of Proposed Changes to Board Bylaw 9220, County Board Elections
- 3.7 Second Reading and Approval of Proposed Changes to Board Bylaw 9222.1 (formerly 9255), County Board Member Absences
- 3.8 Second Reading and Approval of Proposed Board Bylaw 9260, Legal Protection

The Board then moved to Item 5.2.

- 4. Unfinished Business Action Items
 - 4.1 Student Interdistrict Appeal Number 13-14-02 Salinas Union High School District / Santa Rita Union School District

MSC 13-14-18 (7-0) Judy Pennycook, John McPherson

"I hereby move that F. Carrasco **shall not** be permitted to attend the schools of the Santa Rita Union School District for the 2013-14 school year."

The Board took a recess at 1:18 PM and reconvened at 1:30 PM.

5. New Business Action Items

Begin Closed Session to Hear Item 5.1

- 5.1 Student Expulsion Appeal No. 13-14-01 / Salinas Union High School District: Education Code Section 35146, 48900 et seq. and 48912(b)

John McPherson left for a previous commitment.

Reopen the Meeting to Hear the Board's Decision on Item 5.1

MSC 13-14-19 (4-2) Judy Pennycook, Ronald Panziera

"I hereby move that the appeal of Expulsion 13-14-01 from the schools of the Salinas Union High School District be **DENIED** and the decision of the Governing Board of the Salinas Union High School District to expel Student No. 13-14-01 be **AFFIRMED**."

The Board then moved to Item 14.

David Gomez Serena returned to the room.

- 5.2 Approval of the Facility Use Agreement (Exhibit C) of the Millennium Charter High School Memorandum of Understanding

MSC 13-14-16 (6-0) Francisco Javier Estrada, Mary Claypool

"That the Monterey County Board of Education approves Exhibit C of the Memorandum of Understanding between the Millennium Charter High School and the Monterey County Office of Education."

- 5.3 California School Boards Association Annual Education Conference

Judy Pennycook returned to the room.

MSC 13-14-17 (7-0) Francisco Javier Estrada, Mary Claypool

"That the Monterey County Board of Education approves the travel request from David Gomez Serena and John McPherson to attend the California School Boards Association Annual Education Conference December 5-7, 2013, in San Diego, California."

6. Unfinished Business Non Action Items: None

The Board then moved to Item 7.2.

7. New Business Non Action Items

- 7.1 Monterey County Superintendent of Schools (MCOE) Audit Report for 2011-12

Garry Bousum presented a PowerPoint presentation on the Audit Report for 2011-12. The MCOE has been strategically focusing on each department's procedures in order to upgrade and improve all operational systems of the County Office of Education. As part of this comprehensive improvement process, the MCOE changed audit firms for the 2011-12 audit. MCOE had used the same firm over the last 15 years. There had been few to no findings. The intention was to identify areas of weakness and improve business operations of the County Office of Education.

Stephen Roatch Accountancy Corporation was contracted to conduct the 2011-12 audit. Mr. Roatch was present and explained the independent auditor's responsibility to express an opinion on the accuracy of MCOE's financial statements based on his firm's audit. In addition, the auditor is also required to issue other reports that address the County Office's internal controls over financial reporting, state compliance and federal compliance.

The 2011-12 audit report has been issued an "unqualified" opinion, the highest opinion possible, concluding that the financial statements give a true and fair view of an agency's financial information and is free from any material misstatements. The MCOE's financial condition, position, and operations are fairly presented.

While the audit was unqualified in the financial statements for 2011-12, areas for improvement of operations were identified in the Findings and Recommendations section of the audit report. The County Office of Education's detailed response and resolution of each finding was included in the audit report, including a "Resolution of Findings" summarizing how MCOE resolved the findings. These findings will serve as a basis for continuous improvement in MCOE's business operations.

Harvey Kuffner requested that references to County Office-operated charter schools (page 25 and 66) indicate that MCOE acts as an agent for, and does not operate, the school.

Members of the Board commended Dr. Kotowski and staff for their involvement in the process and positive approach to the audit results. They also thanked Mr. Roatch for his extensive review.

The Board took a recess at 10:05 AM and reconvened at 10:10 AM in Conference Room B. The Board then moved to Item 8.2.1.

7.2 Payment of Claims for July 2013

Colleen Stanley presented the item.

7.3 Quarterly Uniform Complaint Report Summary 2012-13: Instructional Materials Deficiencies, Emergency or Urgent Facilities Conditions, and Teacher Vacancies or Misassignments

Deneen Newman presented the item and shared that there were no complaints filed in 2012-13. In the future, this item will be agendaized on the consent agenda.

7.4 First Reading of Proposed Board Policy 0420.42, Charter School Renewal

Deneen Newman and Harvey Kuffner presented the item.

7.5 First Reading of Proposed Changes to Board Bylaw 9270, Conflict of Interest

Harvey Kuffner presented the item. David Gomez Serena requested that the word "commissions" be eliminated from potential conflict of interest. Staff will ask legal counsel to review the Bylaw.

8. Reports from Superintendent and/or Staff

8.1 Superintendent's Report

Dr. Kotowski introduced Melanie Crall, the new president of the MCOE Teacher's Association effective September 1.

Dr. Kotowski reported that a routine audit of Medi-Cal reimbursements for 2009-10 was conducted. It was found that some special education expenses were identified as not reimbursable. As such, our level of our reimbursement for 2009-10 was reduced. Because payments from Medi-Cal reimbursements are deferred for a long period of time, MCOE is still owed \$1,526,847 for 2009-10.

8.1.1 Report of MCOE Program Activities

Dr. Kotowski distributed the Board calendar and reported on:

- Soledad USD welcome back for teachers
- Greenfield USD welcome back for teachers
- CASP Board of Directors retreat
- Departure of Georgina Mendoza - City of Salinas/CASP
- MCAET Premiere Week

8.1.2 Upcoming Events

- Millennium Charter High School first day of school
- Rancho Cielo Family Fun Day

The Board then moved to Item 9.1.

8.2 Staff Reports

8.2.1 Escape Implementation Presentation: Colleen Stanley and Karen Hennessy provided a PowerPoint presentation on the Escape Implementation Process.

The Board then moved to Item 11.1.

9. Comments by Members of the Board

9.1 Board Members

Harvey Kuffner: Requested that staff research upgrading the microphones and amplification equipment in the Board room. He also shared an article on the impact of school district consolidation with smaller school districts, and a California Department of

Education article on the Local Control Funding Formula (LCFF). Mr. Kuffner also indicated he attended the Carmel Unified School District's Board meeting to hear an update on their construction projects.

Judy Pennycook: Requested that thank you letters be sent to Escape Implementation Team. She also stated she met with the Superintendent of North Monterey County Unified School District regarding the possibility of a bond measure and the current impacts of deferred maintenance.

Francisco Javier Estrada: Spoke to the first day of school at Tiburcio Vasquez School, and invited the Board to view the school.

David Gomez Serena: Spoke regarding the rumor that Rancho Cielo was closing. Dr. Kotowski assured the Board that this was false; however, a grant was recently lost and the number of employees had been reduced. Dr. Kotowski would provide some talking points for the Board to share with concerned constituents.

Mr. Serena also spoke regarding letters to the school districts regarding the updated Voting Rights Act pertaining to trustee areas. Dr. Kotowski indicated Mr. Kuffner drafted a letter to be sent to the school districts and would bring it before the County Committee on School District Organization for review.

10. Reports from Board Members

- 10.1 Legislation: Harvey Kuffner
- 10.2 Community Human Services: Harvey Kuffner
- 10.3 Sunrise House: Ronald Panziera
- 10.4 Child Abuse Prevention Council: Judy Pennycook
- 10.5 Monterey County Schools Insurance Group: David Gomez Serena
- 10.6 Board Goal #5: Judy Pennycook

The Board then moved to Item 12.1.

11. Staff Recognition

- 11.1 Recognition of Escape Implementation Team: Dr. Kotowski and members of the Board recognized the employees of the Escape Implementation team.

The Board then took a recess at 10:48 AM and reconvened at 10:54 AM in the Dr. Ray Charlson Board Chambers.

The Board then moved to Item 3.

12. Consideration of Items for Future Meetings

- 12.1 Proposed Future Commendatory Resolutions
 - Georgina Mendoza for her work on youth violence prevention
- 12.2 Proposed Future Agenda Items

- Assessment of Site Water Quality Presentation
- Strategic Facility Planning
- Resolution of Commendation Recognizing Pebble Beach Authors and Ideas Festival Student Literary Days and Festival to the Schools

13. Next Meeting Dates:

September 4, 2013 – 9 AM
September 18, 2013 – 3 PM

Agenda Items Due August 23, 2013
Agenda Items Due September 6, 2013

The Board took a recess at 11:50 AM and reconvened at 1:01 PM.

The Board then moved to Item 4.1.

14. The meeting was adjourned at 2:47 PM.

Approved: September 4, 2013

Harvey Kuffner, President

Nancy Kotowski, Ph. D.,
Secretary to the Board