

MONTEREY COUNTY BOARD OF EDUCATION
REGULAR MEETING
DECEMBER 3, 2014
APPROVED MINUTES

1. Opening Business

1.1 Call to Order: President John McPherson called the Regular Meeting of the Monterey County Board of Education to order at 3:02 PM in Conference Rooms A/B of the Monterey County Office of Education.

1.2 Roll Call

BOARD MEMBERS PRESENT:

John McPherson, President	Trustee Area #2
Mary Claypool, Vice-President	Trustee Area #6 (<i>via conference call</i>)
Harvey Kuffner	Trustee Area #1
Judy Pennycook	Trustee Area #3
Francisco Javier Estrada	Trustee Area #4
Ronald Panziera	Trustee Area #5
Sergio Alejo	Trustee Area #7
Dr. Nancy Kotowski, Secretary to the Board	

STAFF TO SUPERINTENDENT:

Michelle Archuleta
Garry Bousum
Barry Brown
Ginny Brown
Leigh Butler
Dr. Rosa Coronado
Karen Hennessy
Paula Motley
Dr. Deneen Newman
Mariphil Romanow-Cole
Dr. Faris Sabbah
Carla Stewart
Dr. Mary White

GUESTS:

Millennium Charter High School supporters
Navigator Charter School opponents
Navigator Charter School supporters
Chad Graff
Manuel Martinez

1.3 Pledge of Allegiance: John McPherson 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 14-15-38 (7-0) Harvey Kuffner, Judy Pennycook

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

2. Communications

- 2.1 Correspondence: Dr. Kotowski indicated that a packet of correspondence received to date regarding Navigator Charter School was placed at each seat and was also available for the public.
- 2.2 Oral Comments from the Public *(Comments from the public are limited to items both within the Board's jurisdiction, as well as not on the agenda. The Board may limit public comments to no more than three (3) minutes, at the discretion of the Board President. Public comment will also be allowed on each specific agenda item prior to Board action thereon.):* None

3. Consent Agenda

(Action Items included on the Consent Agenda are considered to be routine and are acted on by the County Board in one motion. There is not discussion of these items before the Board vote unless a member of the Board, staff, or public requests specific items be discussed and/or removed from the Consent Agenda. It is understood that the Administration recommends approval on all Consent items. Each item on the Consent Agenda approved by the County Board shall be deemed to have been considered in full and adopted as recommended.)

MSC 14-15-39 (7-0) Harvey Kuffner, Judy Pennycook

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

- 3.1 Approval of the Minutes of the Regular Meeting of November 19, 2014
- 3.2 Approval of the Teacher Temporary Certificates of December 3, 2014
- 3.3 Adoption of Resolution No. 14-15-28, Recognizing and Honoring Manuel Real, Monterey County Chief Probation Officer, on the Occasion of His Retirement

4. Unfinished Business Action Items: None

5. New Business Action Items

5.1 Annual Organizational Meeting

Dr. Kotowski distributed Board Bylaw 9100 related to organizational meeting business. Due to limited time, the following items will be deferred to future Board meetings: authorize the newly elected president to sign official documents (#3); measure the success of achieving the selected County Board's goals (#7); establish a completion date for identifying the next year's goals for the County Board (#8); review a tentative calendar of Monterey County Office of Education (MCOE) reports to the County Board and visitations to MCOE school sites (#9); review the compensation of County Board members (#10); distribute County Board self-evaluation forms and establish a completion date, as well as a date to review and discuss the results (#11). The Board goals will be reviewed at the January 7, 2015, meeting in anticipation of scheduling a Board retreat.

5.1.1 Election of President of the Monterey County Board of Education

Election of President for Board year 2014-15:

Judy Pennycook nominated Mary Claypool for Board President for the term of December 3, 2014 through December 2, 2015, with a second from Harvey Kuffner. The nomination carried with a vote of 7-0.

MSC 14-15-40 (7-0) Judy Pennycook, Harvey Kuffner

AYES: Sergio Alejo, Mary Claypool (via conference call), Francisco Javier Estrada, Harvey Kuffner, John McPherson, Judy Pennycook, Ron Panziera

NOES: None

ABSENT: None

ABSTENTIONS: None

On behalf of incoming President Mary Claypool, Dr. Kotowski presented John McPherson with a plaque and gavel as a token of appreciation from the Board and staff for his distinguished leadership as Board President.

5.1.2 Seating of the newly elected President: President Mary Claypool requested that John McPherson assume the role of Acting Chair in her physical absence.

5.1.3 Election of Vice President of the Monterey County Board of Education

Election of Vice President for Board year 2014-15:

Judy Pennycook nominated Ron Panziera for Board Vice President for the term December 3, 2014 through December 2, 2015, with a second from Harvey Kuffner. The nomination carried with a vote of 7-0.

MSC 14-15-41 (7-0) Judy Pennycook, Harvey Kuffner

AYES: Sergio Alejo, Mary Claypool (via conference call), Francisco Javier Estrada, Harvey Kuffner, John McPherson, Judy Pennycook, Ron Panziera

NOES: None

ABSENT: None

ABSTENTIONS: None

5.1.4 Seating of the newly elected Vice President: Vice President Ron Panziera assumed his seat.

5.1.5 Appointment of Board Committees and Board Representatives

1) **California School Board Association Legislative Representative:**

Representative: Harvey Kuffner

Alternate: John McPherson

2) **JPA Representatives:**

Sunrise House:

Representative: Ron Panziera
 Alternate: Francisco Javier Estrada

Community Human Services:

Representative: Harvey Kuffner
 Alternate: Mary Claypool

- 3) **Parliamentarian:**
 Judy Pennycook
 Harvey Kuffner
- 4) **Equal Opportunity:**
 Representative: Sergio Alejo
 Representative: Mary Claypool
 Representative: Francisco Javier Estrada
- 5) **Child Abuse Prevention Council:**
 Representative: Judy Pennycook
 Alternate: Ron Panziera
- 6) **Head Start Advisory Board:**
 Representative: Harvey Kuffner
 Alternate: Francisco Javier Estrada
- 7) **Monterey County Schools Insurance Group:**
 Attendee: John McPherson
- 8) **Monterey County Committee on School District Organization:**
 Chairperson: Harvey Kuffner
 Vice-Chairperson: Judy Pennycook
- 9) **Monterey County Board of Education Policy Committee:**
 Chairperson: Harvey Kuffner
 Representative: Francisco Javier Estrada
 Representative: John McPherson
 Alternate: Sergio Alejo
- 10) **Monterey County Board of Education Facilities Master Plan Committee:**
 Chairperson: Judy Pennycook
 Representative: Harvey Kuffner
 Representative: Sergio Alejo
 Alternate: John McPherson
- 11) **Monterey County School Boards Association**
 Representative: Francisco Javier Estrada
 Alternate: Mary Claypool

12) **California County Boards of Education Voting Member**
 Representative: Mary Claypool (President)
 Alternate: Ron Panziera (Vice President)

13) **Monterey County Board of Education – Board Goals**
 Representative: Ron Panziera
 Representative: Mary Claypool

5.1.6 Approval of Establishment of Calendar of Regular Board Meetings for Board Year 2015

2015 Meeting Dates

January 7, 2015 and January 21, 2015	July 15, 2015
February 4, 2015 and February 18, 2015	August 5, 2015 and August 19, 2015
March 4, 2015 and March 18, 2015	September 2, 2015 and September 16, 2015 (3 PM)
April 1, 2015 and April 15, 2015 (3 PM)	October 7, 2015 and October 21, 2015
May 6, 2015 and May 20, 2015 and May 27, 2015 (Budget Study Session)	November 4, 2015 and November 18, 2015
June 3, 2015 and June 17, 2015	December 2, 2015

NOTE: With the exception of the second meeting in April and the second meeting in September, which will start at 3:00 PM, Board meetings will begin at 9:00 AM unless otherwise changed to accommodate certain circumstances.

MSC 14-15-42 (7-0) Judy Pennycook, John McPherson

AYES: Sergio Alejo, Mary Claypool (via conference call), Francisco Javier Estrada, Harvey Kuffner, John McPherson, Judy Pennycook, Ron Panziera

NOES: None

ABSENT: None

ABSTENTIONS: None

“That the Monterey County Board of Education appoints Board committee members and representatives to continue in their respective roles for 2015.”

The Board moved to Item 7.2.

5.2 Consideration and Action on the Matter of Navigator Charter’s Appeal of the Denial by Salinas City Elementary School District of Its Petition to Establish a Charter School

5.2.1 Review of Board’s Authority on the Matter of Navigator Charter’s Appeal of the Denial by Salinas City Elementary School District of its Petition to Establish a Charter School

Dr. Faris Sabbah introduced Chad Graff of Fagen, Friedman and Fulfroost, LLP, legal counsel representing the Monterey County Board of Education.

Mr. Graff provided an overview of the process for review of a Charter School Petition. He detailed the sections of the Education Code and Code of Regulations that pertain to the review of a petition to establish a charter school and the Board’s role.

5.2.2 Presentation by Monterey County Office of Education Staff on Findings

Dr. Faris Sabbah and members of the MCOE Cabinet review team provided a PowerPoint presentation on the staff findings of an insufficient petition in the following areas: unsound educational program; demonstrably unlikely to successfully implement the program set forth in petition; petition does not contain all affirmations required under Education Code; and the petition does not include reasonably comprehensive descriptions of required elements under Education Code.

5.2.3 Comments by Petitioner (*limited to ten minutes*): James Dent of Navigator Charter Schools provided opening remarks.

5.2.4 Comments by Salinas City Elementary School District (*limited to ten minutes*): Manuel Martinez, legal counsel for Salinas City Elementary School District, provided opening remarks.

5.2.5 Public Comment

Individuals wishing to speak were given two minutes each.

The following individuals from Salinas spoke in favor of the establishment of the Navigator Charter School: Nicholas Pasculli, Esmeralda Muratalla, Rosa Gomez, Esmeralda Jimenez.

The following individuals from Salinas spoke in opposition to the establishment of the Navigator Charter School: Diane Cunanan, Oscar Ramos, Jose Anzaldo, Norma Camacho, Gloria Santiago, Carol Rodrigues, Jesus Valenzuela, Rosa Rivas, Philip Moore, Roberto Garcia, Elva Arellano, Joshua Ezekiel, Jose Antonio Jimenez, Lorraine De La Torre, Ana Alonzo, Angela Der Ramos, and Kathryn Ramirez.

The following individuals from the Gilroy/Hollister and other areas spoke in favor of the establishment of the Navigator Charter: Phillip Harr, Danyela Egorov, Louis Leader, Heather Parsons, Paul Nadeau, Sharon Waller, Sonya Woolsey, Crystal Toriumi, Jennifer Watson.

5.2.6 Discussion and Action by the Monterey County Board of Education

MSC 14-15-43 (6-0) Harvey Kuffner, Sergio Alejo

AYES: Sergio Alejo, Francisco Javier Estrada, Harvey Kuffner, John McPherson, Judy Pennycook, Ron Panziera

NOES: None

ABSENT: Mary Claypool

ABSTENTIONS: None

"That the Monterey County Board of Education, after due consideration, hereby **DENIES** the petition on the matter of Navigator Charter's appeal of the denial by Salinas City Elementary School District of its petition to establish a charter school, and adopts the staff's proposed findings of fact as their own, and adopts Resolution No. 14-15-29 in support of this decision."

The Board moved to Item 14.

6. Unfinished Business Non Action Items: None

7. New Business Non Action Items

7.1 Public Hearing in Accordance with California Education Code Section 47607 and Board Policy 0420.4 on the Matter of Millennium Charter High School's Petition for a Renewal of Its Charter

Dr. Faris Sabbah presented the item.

7.1.1 Open Public Hearing: Acting Chair McPherson opened the hearing to the public at 4:00 PM. Each individual wishing to speak was given two minutes with the exception of the designated representative from Millennium Charter High School (Peter Gray), who was given five minutes for opening remarks.

7.1.2 Receive Public Input

The following individuals spoke in favor of the renewal of the Millennium Charter High School: Marilyn Abad-Cardinalli, Tracy Ranno, Cynthia Thompson, Rhonda Bassham, Nicholas Pasculli, Sue Hinderscheid, Krista Carey, Leslie Hasslinger, Lydia Sapien, Alex Sapien, Allen Hayes, Dr. Juanita Perea, Jannet Ramos, Phil Esparza, Maria Martinez, and Karen Holmes.

Designated representative from Millennium Charter High School (Peter Gray, Principal) was given five minutes for closing remarks.

7.1.3 Close Public Hearing: Acting Chair McPherson closed the hearing to the public at 4:48 PM.

The Board took a recess at 4:48 PM and reconvened at 5:02 PM. The Board moved to Item 5.2.

7.2 Workers' Compensation Unfunded Liabilities

Garry Bousum presented the item.

8. Reports from Superintendent and/or Staff

8.1 Superintendent's Report

Dr. Kotowski distributed the Board calendar and introduced Barry Brown, Communications and Public Relations Officer.

8.1.1 Report of MCOE Program Activities

- CSUMB Partnership on "Cradle to Career" initiative

8.1.2 Upcoming Events

- Holiday social

8.2 Staff Reports: None

9. Comments by Members of the Board

9.1 Board Members: Harvey Kuffner provided an update on Community Human Services and shared a newspaper article of interest. Ron Panziera provided an update on Sunrise House.

10. Consideration of Items for Future Meetings

10.1 Proposed Future Commendatory Resolutions: None

10.2 Proposed Future Agenda Items

- Transportation Fuel Usage and Cost Report
- Escape Human Resources Authorization Update
- Stanford/MCSIG Update
- Update on Providers of Additional Adult Support for Students in Special Education

11. Next Meeting Dates:
January 7, 2015
January 21, 2015

Mary Claypool departed the call. The Board took a recess at 3:30 PM and reconvened at 4:03 PM. The Board moved to Item 7.1.

12. The meeting was adjourned at 8:45 PM.

Approved: January 7, 2015

Mary Claypool, President

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