

MONTEREY COUNTY BOARD OF EDUCATION
REGULAR MEETING
APRIL 5, 2017
APPROVED MINUTES

1. Opening Business

1.1 Call to Order: President Judy Pennycook called the Regular Meeting of the Monterey County Board of Education to order at 9:00 AM in the Dr. Ray Charlson Board Chambers of the Monterey County Office of Education.

1.2 Roll Call

BOARD MEMBERS PRESENT:

Judy Pennycook, President	Trustee Area #3
Harvey Kuffner	Trustee Area #1
John McPherson	Trustee Area #2
Janet Wohlgemuth	Trustee Area #4
Ronald Panziera	Trustee Area #5
Dr. Nancy Kotowski, Secretary to the Board	

BOARD MEMBERS ABSENT WITH NOTIFICATION:

Mary Claypool, Vice-President	Trustee Area #6
Sergio Alejo	Trustee Area #7

STAFF TO SUPERINTENDENT:

Michelle Archuleta
Garry Bousum
Ginny Brown
Marilyn Cline
Terri Dye
Dr. Deneen Guss
Jessica Hull
Yvette Irving
Joshua Jorn
Justin McCollum
Colleen Stanley
Carla Stewart

GUESTS:

Cassandra Bridge
Melanie Crall
Supporters and Staff of Monterey Bay
Charter School

1.3 Pledge of Allegiance: Melanie Crall 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: Dr. Kotowski requested to hear Item 7.1 prior to Item 5.1.

1.4.2 Additions to the Agenda: None.

1.4.3 Adoption of the Agenda:

MSC 16-17-70 (5-0) John McPherson, Janet Wohlgemuth

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

2. Communications

- 2.1 Correspondence: None
- 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 16-17-71 (5-0) Harvey Kuffner, Ron Panziera

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

- 3.1 Approval of the Minutes of the Regular Meeting of March 1, 2017
- 3.2 Approval of the Minutes of the Board Retreat of March 15, 2017
- 3.3 Approval of the Teacher Temporary Certificates of April 5, 2017
- 3.4 Adoption of Resolution No. 16-17-37, Child Abuse Prevention Month
- 3.5 Second Reading and Approval of Proposed Changes to Board Policy 0420.41, Charter School Oversight
- 3.6 Second Reading and Approval of Proposed Board Policy 0420.41 Exhibit, Compliance Requirements for Charter Schools
- 3.7 Second Reading and Approval of Proposed Changes to Board Policy 0460, Local Control and Accountability Plan
- 3.8 Second Reading and Approval of Proposed Changes to Board Policy 3290, Gifts and Bequests to the County Office of Education
- 3.9 Second Reading and Approval of Proposed Changes to Board Policy 3300, Expenditures and Purchases
- 3.10 Second Reading and Approval of Proposed Changes to Board Policy 3320. Claims and Actions against the Monterey County Office of Education
- 3.11 Second Reading and Approval of Proposed Changes to Board Policy 5117, Interdistrict Attendance Appeals
- 3.12 Second Reading and Approval of Proposed Changes to Board Policy 5117 Exhibit, Interdistrict Appeals Handbook

The Board moved to Item 5.3.

4. Unfinished Business Action Items: None

5. New Business Action Items

- 5.1 Consideration and Action on the Matter of the Renewal of the Charter Petition of Monterey Bay Charter School

Yvette Irving presented a brief overview and history of the Monterey Bay Charter School (MBCS), which was first approved with a one-year term in 2006, followed by a renewal of five years in 2007, and an additional five years in 2012. Ms. Irving and members of the Monterey Bay Charter School review team gave a presentation on staff findings.

The MCOE review team recommended that actions be set forth by Monterey Bay Charter for subgroups of students to meet students' academic needs even though a subgroup may not "statistically significant." In 2015, for example, the Hispanic subgroup met the threshold of 30 students in English Language Arts. The charter school should carefully consider interventions to support subgroups of less than 30 students. Enrollment may increase over the course of the five-year charter renewal.

The County Superintendent recommended that the County Board approve the Monterey Bay Charter School renewal petition subject to a separate Memorandum of Understanding (MOU) that addressed the Special Education financial obligation concerns, the oversight of records, and the utilization of technology in grades 3, 4, and 5 should the California Department of Education no longer approve a waiver for the use of pencil and paper during the administration of the California Assessment of Student Performance and Progress beyond the 2016-2017 school year.

Cassandra Bridge, Monterey Bay Charter School Director, thanked the MCOE review team for their thorough review. She addressed all three areas of concern noted by the review team, and she shared the school's plan to address and resolve the items.

MSC 16-17-77 (5-0) John McPherson, Ron Panziera

"That the Monterey County Board of Education approves the renewal petition of the Monterey Bay Charter School subject to the execution of a Memorandum of Understanding that is in compliance with the recommendations from the Monterey County Office of Education. "

The Board then moved to Item 7.4.

5.2 Approval of the Monterey County Home Charter School Memorandum of Understanding

Michelle Archuleta presented a summary of the Monterey County Home Charter School Memorandum of Understanding.

Harvey Kuffner requested clarification on the following areas of the MOU: programmatic oversight, complaints, fiscal relationship, fiscal policies, budget approval, additional support services, academic progress reporting, school calendar and schedules, and special education staffing. Questions were clarified, and the following changes were recommended to be made to the MOU:

1. Item 4 School Accountability (page 2), (b) iii: "a summary of any ~~major~~ changes to ~~written school or new policies written~~ during the year;
2. Item 5 Complaints (page 3), a policy for the procedure to reconcile complaints at the lowest level will be implemented;
3. Item 6 Fiscal Relationship, (page 3), (d) Budget Approval – Charter Advisory Board shall have the authority to *recommend* approval of the Charter School's budget to the County Board;
4. Item 8 Services for Students with Disabilities (page 9), (f) – Special Education Staffing -MCOE and/or the Charter School may employ special education personnel or contract with the County Office of Education....

The Board Members were in agreement to the recommended changes to the proposed MOU.

MSC 16-17-76 (5-0) John McPherson, Janet Wohlgemuth

"That the Monterey County Board of Education approves the Monterey County Home Charter School Memorandum of Understanding, with changes, for the period July 1, 2017 through June 30, 2022."

5.3 Acceptance of Donation from the Chapman Foundation

Garry Bousum presented the item. President Pennycook requested that the Chapman Foundation's generous donation be acknowledged and communicated through MCOE's communication channels.

MSC 16-17-72 (5-0) Harvey Kuffner, Janet Wohlgemuth

"That the Monterey County Board of Education accepts the donation of \$6,000 from the Chapman Foundation."

The Board took a recess at 10:40 AM and reconvened at 10:50 AM. The Board moved to Item 7.1.

5.4 Acceptance of Donation from the Elizabeth Hook Armstrong Foundation

Garry Bousum presented the item. President Pennycook requested that the Elizabeth Hook Armstrong Foundation's generous donation be acknowledged and communicated through MCOE's communication channels.

MSC 16-17-73 (5-0) Janet Wohlgemuth, John McPherson

"That the Monterey County Board of Education accepts the donation of \$16,000 from the Elizabeth Hook Armstrong Foundation."

5.5 Adoption of Resolution No. 16-17-38, U.S. Forest Reserve Fund

Garry Bousum presented the item.

MSC 16-17-74 (5-0) Harvey Kuffner, Janet Wohlgemuth

"That the Monterey County Board of Education adopts Resolution No. 16-17-38, allocating U.S. Forest Reserve Funds to various school districts in Monterey County."

5.6 Approval to Enter into a Commercial Real Estate Agreement for the Marketing Leasing of the Richard Morgantini Building

Garry Bousum presented the item. The County of Monterey plans to vacate the Morgantini Building between May 10 and 18, 2017. Currently, the rate is \$1.76 a square foot, which is higher than the average. Staff has made many attempts to secure a firm to fill the vacancy, and received two proposals. Both proposals had multiple year fees, and after further negotiating, one firm agreed to reduce and cap the fees at five years.

President Pennycook requested additional discussion regarding the percentage of the gross the listing agent would receive and also the price per square foot that would be advertised. The Board was in agreement that the property should be advertised at a rate comparable to the current tenant.

MSC 16-17-75 (5-0) Harvey Kuffner, John McPherson

“That the Monterey County Board of Education authorizes the County Superintendent of Schools to enter into an Agreement with Mahoney and Associates to secure a tenant for the Richard Morgantini Building.”

6. Unfinished Business Non Action Items: None

7. New Business Non Action Items

7.1 Monterey Bay Charter School Annual Report

Cassandra Gallup Bridge, Director of Monterey Bay Charter School, presented a comprehensive report to the Board.

The Board moved to Item 5.1.

7.2 Second Interim Financial/Budgetary Report for the Bay View Academy Charter School 2016-17

Colleen Stanley presented the item. The analysis of the 2016-17 second interim report concluded that the Bay View Academy Charter School will be able to meet all financial obligations for the remainder of the fiscal year.

7.3 Second Interim Financial/Budgetary Report for the Millennium Charter High School 2016-17

Colleen Stanley presented the item. The analysis of the 2016-17 second interim report concluded that the Millennium Charter High School will be able to meet all financial obligations for the remainder of the fiscal year.

The Board took a recess at 9:31 AM and reconvened at 10:17 AM.

The Board then moved to Item 5.2.

7.4 Second Interim Financial/Budgetary Report for the Monterey Bay Charter School 2016-17

Colleen Stanley presented the item. The analysis of the 2016-17 second interim report concluded that the Monterey Bay Charter School will be able to meet all financial obligations for the remainder of the fiscal year.

7.5 Second Interim Financial/Budgetary Report for the Monterey County Home Charter School 2016-17

Colleen Stanley presented the item. The analysis of the 2016-17 second interim report concluded that the Monterey County Home Charter School will be able to meet all financial obligations for the remainder of the fiscal year.

7.6 Surplus Property

Garry Bousum presented the item. Dr. Kotowski spoke of the surplus lists available on website for districts.

7.7 Payment of Claims for February 2017

Colleen Stanley presented the item.

8. Reports from Superintendent and/or Staff

8.1 Superintendent's Report

Dr. Kotowski distributed the Board calendar.

8.1.1 Report of MCOE Program Activities

- Child Abuse Prevention Council Breakfast
- Monterey County Constitution Project
- AB318 Proposed legislation
- Monterey Bay Charter School visitation
- Small School District LCAP Workshop

8.1.2 Upcoming Events

- Epicenter Luncheon
- MCOE Closure on April 17
- MCSBA Annual Dinner honoring Harmony at Home

8.2 Staff Reports

8.2.1 Facilities Update: Joshua Jorn presented a Facilities update, which was also included in the Board packet. Additionally, Dr. Kotowski reported on the closure of the community school at Cabrillo (MPUSD). MPUSD plans to take back these students with the exception of the probation youth, which they will transfer to/from Rancho Cielo. She stated that MPUSD has expressed the desire to educate their own students within their boundaries, and MCOE staff will be working with them on the development of a robust community school within the district.

9. Comments by Members of the Board

9.1 Board Members: John McPherson reported that CCBE has moved the AB318 proposed legislation on for consideration by their legislative committee.

Ron Panziera reported that the Sunrise House has an Interim Director, Clem Donaldson, who is guiding the agency through litigation.

Judy Pennycook requested a formal letter signed by the Board President be sent to Brigid McGrath Massey for her stellar work in facilitating the Board retreat.

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: John McPherson

11. Staff Recognition: None

12. Consideration of Items for Future Meetings

12.1 Proposed Future Commendatory Resolutions: None

12.2 Proposed Future Agenda Items

- Presentation on Efforts to Assist Underperforming Students
- Report on Low-Cost Internet Services for Students
- Limiting MCOE's Liability with Contract Services
- Overview of California's New Accountability System

13. Next Meeting Dates:

April 19, 2017 – 3:00 PM
May 3, 2017 – 9:00 AM

Agenda Items due April 7, 2017
Agenda Items due April 21, 2017

14. The meeting was adjourned at 12:03 PM.

Approved: April 19, 2017

Judy Pennycook, President

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