

MONTEREY COUNTY BOARD OF EDUCATION
REGULAR MEETING
FEBRUARY 13, 2019
APPROVED MINUTES

1. Opening Business

1.1 Call to Order: President Janet Wohlgemuth called the Regular Meeting of the Monterey County Board of Education to order at 9:02 AM in the Dr. Ray Charlson Board Chambers of the Monterey County Office of Education.

1.2 Roll Call

BOARD MEMBERS PRESENT:

Janet Wohlgemuth, President	Trustee Area #4
Ronald Panziera, Vice President	Trustee Area #5
Harvey Kuffner	Trustee Area #1
John McPherson	Trustee Area #2
Judy Pennycook	Trustee Area #3
Mary Claypool	Trustee Area #6
Lupe Sánchez	Trustee Area #7
Dr. Deneen Guss, Secretary to the Board	

STAFF TO SUPERINTENDENT:

Michelle Archuleta
Garry Bousum
Ginny Brown
Suzette Burns
Chris Devers
Terri Dye
Joshua Jorn
Misty Merrill
Dawn Tovey
Jonna Triggs
Carla Stewart
Dr. Ernesto Vela

GUESTS:

Malissa Burns
Millennium Charter High School Board
Helen Rucker

1.3 Pledge of Allegiance: Michelle Archuleta led the Pledge of Allegiance.

The Board moved to Item 7.17.

1.4 Adoption of Agenda

Changes, additions (based on Board Bylaw 9322 – Provision of Emergency/Urgency), and approval of the Agenda as presented. 23 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 18-19-44 (7-0) Mary Claypool, Harvey Kuffner

“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 *(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.

The Board moved to Item 6.1.

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 18-19-45 (7-0) Judy Pennycook, Lupe Sánchez

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

- 3.1 Approval of the Minutes of the Regular Meeting of January 16, 2019
- 3.2 Approval of the Teacher Temporary Certificates of February 13, 2019
- 3.3 Adoption of Resolution No. 18-19-21, Cesar Chavez Day of Service and Learning
- 3.4 Adoption of Resolution No. 18-19-20, Black History Month
- 3.5 Adoption of Resolution No. 18-19-23, Child Abuse Prevention Week
- 3.6 Adoption of Resolution No. 18-19-27, North County Youth Recreation Association Manzanita Youth Sports Complex

4. Unfinished Business Action Items: None

5. New Business Action Items

- 5.1 Approval of the Countywide Plan for the Provision of Educational Services for Expelled Students

Dr. Ernesto Vela presented the Countywide Plan for the Provision of Educational Services for Expelled Students, which is a compilation of the school districts' plans. The plan enumerates existing educational alternatives for expelled pupils, identifies gaps in educational services to expelled pupils, and strategies for filling those service gaps. The plan also identifies alternative placements for pupils who are expelled and placed in district community day school programs, but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils.

MSC 18-19-46 (7-0) Judy Pennycook, Lupe Sánchez

"That the Monterey County Board of Education approves the Countywide Plan for the Provision of Educational Services for Expelled Students."

- 5.2 California County Boards of Education (CCBE) County Board Governance Workshop

Dr. Deneen Guss presented the item.

MSC 18-19-47 (7-0) John McPherson, Judy Pennycook

"That the Monterey County Board of Education approves the travel request of Lupe Sánchez to attend the California County Boards of Education Conference in Sacramento, California, from March 8-9, 2019."

The Board then moved to Item 5.4.

5.3 Consideration and Adoption of Curriculum to Serve the Special Day Class Programs and Therapeutic Intervention Programs

Terri Dye, Assistant Superintendent of Special Education, and Jonna Triggs, Senior Director of Special Education, presented the item, and reviewed the process taken for input on the proposed curriculum.

The adoption of TeachTown was recommended for the Special Day Class (SDC) programs that serve students with autism, intellectual, and/or developmental delays. This program focuses on the academic, behavioral, and adaptive functioning needs of our students, utilizing Applied Behavioral Analysis (ABA) strategies.

For the Therapeutic Intervention Program (TIP) that serves students with emotional disturbance, adoption of the following programs was recommended:

- Mind Up – elementary and middle school programs
 - This program supports the instruction of awareness, attention, and coping skills
- Second Step – elementary and middle school programs
 - This social-emotional program adjusts to students' developmental needs
- School Connect – high school program
 - This program embeds vocational schools and real-life scenarios

The proposed materials have been on display in the Deputy Superintendent's office during the months of December, 2018, and January-February, 2019. To date, no comments or concerns have been received from the public or MCOE staff.

MSC 18-19-50 (7-0) John McPherson, Lupe Sánchez

"That the Monterey County Board of Education adopts the TeachTown Curriculum for Special Day Class Programs, and the Mind Up, Second Step, and School Connect Curriculums for Therapeutic Intervention Programs, as presented."

The Board moved to Item 7.4.

5.4 Consideration of Approval for Special Education to Submit a Waiver to Modify the Standard Extended School Year

Terri Dye presented the item. The MCOE Special Education Division annually provides a 20-day Extended School Year (ESY) for MCOE students, in accordance with 5 CCR § 3043 (d) "*An extended year program shall be provided for a minimum of 20 instructional days, including holidays.*" The State Board of Education (SBE) offers a waiver process for districts and county offices of education to allow some flexibility with the ESY calendar.

All ESY staffing is outside of the bargaining units' calendars and represents voluntary extra employment. Historically, it has been a challenge to recruit permanent MCOE employees to fill ESY certificated and classified positions partially because the start date was a full two weeks after the regular school year ended. Employees stated that the ESY interfered with their summer family and professional learning obligations.

For the 2018-2019 school year, MCOE is requesting approval to apply for a SBE waiver to modify the standard 20-day ESY calendar to instead offer a 15-day program and increase the length of the day to maintain the same number of instructional minutes.

MSC 18-19-48 (7-0) Harvey Kuffner, Mary Claypool

"That the Monterey County Board of Education approves the submission of a waiver to modify the standard Special Education Extended School Year session schedule."

The Board moved to Item 7.2.

5.5 2018-2019 Consolidated Application and Reporting System (CARS) for Funding Categorical Aid Programs (Winter Release)

Dr. Ernesto Vela presented the item.

MSC 18-19-49 (7-0) John McPherson, Harvey Kuffner

"That the Monterey County Board of Education approve the Consolidated Application and Reporting System (CARS) for funding Categorical Aid Programs for 2017-2018."

The Board moved to Item 5.3.

5.6 First Reading and Adoption of Board Policy 3470, Debt Issuance and Management

Garry Bousum presented the item.

MSC 18-19-51 (7-0) Judy Pennycook, John McPherson

"That the Monterey County Board of Education adopts Board Policy 3470, Debt Issuance and Management, as presented."

5.7 California School Boards Association Legislative Action Day – March 12, 2019

Harvey Kuffner presented the item and requested to attend the CSBA Legislative Action Day on March 12, 2019.

MSC 18-19-52 (7-0) John McPherson, Mary Claypool

"That the Monterey County Board of Education approves the request of Harvey Kuffner to attend the California School Boards Association Legislative Action Day on March 12, 2019, in Sacramento, California."

The Board moved to Item 6.2.

6. Unfinished Business Non Action Items

6.1 Millennium Charter High School Update

Malissa Burns, Principal/Superintendent, stated their ADA is currently at 133, and they have transitioned over to a new back office service. They have opened a bank account and continue to fundraise.

John McPherson inquired if the new back office provider has performed an analysis of the school's current revenue streams, and projected revenue streams. Ms. Burns stated they have done some analysis but could not comment on the inquiry at this time.

The Board moved to Item 7.1.

6.2 Millennium Charter School Oversight Update Regarding Charter Compliance

Michelle Archuleta, Director of Compliance, presented an update on Millennium Charter High School's level of adherence to meeting the requirements set forth in the Memorandum of Understanding and the requirements delineated in statute regarding charter school oversight.

She stated that on February 6, 2019, she and an MCOE Special Education Program Administrator met with the Special Education Coordinator of Millennium Charter and a representative of the Sonoma Charter Special Education Local Plan Area (SELPA) to further discuss the following five commitments made by Millennium Charter. The following was agreed upon:

1. Millennium will develop a detailed spreadsheet regarding IEPs to ensure timelines are met and appropriate documentation is disseminated within a timely manner. All forms of communication with families will be documented and uploaded to the student database as evidence of notification.
2. All SELPA forms will be utilized to provide continuity of ease of tracking and accessing in lieu of current service provider forms.
3. All Special Education staff will attend Professional Development and training to support the growth and stability of the program. Dr. Susan Villa has agreed to provide training in all aspects of special education and will be involved in classroom observations, as a follow up to the training provided.
4. The Millennium Special Education Coordinator will also meet with MCOE Special Education Compliance Designee monthly to ensure that procedural operations are compliant and in accordance with Education Code sections 56000 et seq.
5. Millennium Special Education Coordinator will also work closely with Sonoma County Charter SELPA to implement ongoing compliance checks for program development.

MCOE staff requested that Millennium Charter High School provide additional information specific to the Individualized Educational Program, (IEP) and the service provider logs related to each student. MCOE staff also requested a copy of the December CASEMIS Report from the Sonoma Charter SELPA to ensure an additional level of compliance. Upon receipt and review of the requested documentation, MCOE staff will provide a report of findings to the County Board of Education.

Judy Pennycook expressed her appreciation to staff for the many hours spent on Millennium, and for providing the update in writing.

Mary Claypool inquired if any areas of noncompliance are uncovered, what actions are required and does MCOE have any liability. Ms. Archuleta responded that the Charter School would be held to the level of degree of compliance that is within their charter, and if they don't then they are out of compliance. One of the legal rights of the charter authorizer is revocation for noncompliance. Dr. Guss stated that if there are areas of noncompliance, a notice of violation would first be issued, and if the noncompliance areas are not corrected within the required timelines, the next step would be to issue a notice of revocation.

6.3 Board Retreat Planning Discussion

Dr. Guss stated that Brigid McGrath-Massie and the Harden Foundation have been secured for the March 13, 2019 Board retreat. The Board requested food from Wild Thyme or Rancho Cielo.

6.4 Alternative Education Local Control Accountability Plan (LCAP) Update

Chris Devers presented the item.

The Board moved to Item 7.9.

7. New Business Non Action Items

7.1 Public Hearing Regarding Special Education's Request to Submit a Waiver to Modify the Standard Extended School Year

Terri Dye presented the item. The MCOE Special Education Division annually provides a 20-day Extended School Year (ESY) for MCOE students, in accordance with 5 CCR § 3043 (d) "*An extended year program shall be provided for a minimum of 20 instructional days, including holidays.*" The State Board of Education (SBE) offers a waiver process for districts and county offices of education to allow some flexibility with the ESY calendar.

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For the 2018-2019 school year, MCOE is requesting approval to apply for a SBE waiver to modify the standard 20-day ESY calendar to offer a 15-day program and increase the length of the day to maintain the same number of instructional minutes.

7.1.1 Open Public Hearing: President Wohlgemuth opened the hearing to the public at 9:20 AM.

7.1.2 Hear Public Comment: None

7.1.3 Close Public Hearing: President Wohlgemuth closed the hearing to the public at 9:21 AM.

7.2 Monterey County Office of Education (MCOE) 2017-2018 Audit Report

Garry Bousum presented the item. The 2017-2018 audit report has been issued an unmodified position, concluding that the financial statements give a true and fair presentation of the agency's financial information and is free from any material misstatements.

John McPherson recommended expanding the audit engagement to include those things that have caused issues, such as independent charter schools. Garry Bousum indicated that a new contract with the auditor is being prepared, and that is something that could be included. Judy Pennycook agreed that more oversight was needed, but suggested waiting until Candi Clark has completed her review.

The Board moved to Item 5.5.

7.3 Presentation of Resolution No. 18-19-20, Black History Month

John McPherson spoke on a historical moment regarding black history.

Mary Claypool, Board Member, presented a PowerPoint on the history of African Americans being able to register to vote.

Board Member Mary Claypool, Dr. Guss and members of the Board presented Resolution No. 18-19-20 to Helen Rucker of the Seaside Voter Education Center.

The Board took a recess at 10:25 AM and reconvened at 10:32 AM.

The Board then moved to Item 5.6.

7.4 Presentation of Resolution No. 18-19-21, Cesar Chavez Day of Service and Learning

Board Member Judy Pennycook, Dr. Guss and members of the Board presented Resolution No. 18-19-21 to Dan Villa of North County League United for Latin American Citizens (LULAC).

The Board moved to Item 7.3.

7.5 Payment of Claims for January 2019

Garry Bousum presented the item.

7.6 2019-20 Budget Development and Initial Budget Assumptions

Garry Bousum presented the item.

7.7 Monterey County School Districts 2018-19 First Interim Summary

Garry Bousum presented the item. He stated that 19 of the 24 districts are projecting deficit spending in their unrestricted budget. However, all districts meet their reserve requirements.

7.8 Monterey County Schools Statistical Report Number 70

Garry Bousum presented the item.

The Board moved to Item 7.10.

7.9 Quarterly Investment Report for Period Ending December 31, 2018

Mary Zeeb, Monterey County Treasurer-Tax Collector presented the quarterly investment report for the period ending December 31, 2018.

The Board moved to Item 7.5.

7.10 First Reading of Board Bylaw 9322, Board Meeting Agenda

Harvey Kuffner presented the item.

7.11 First Reading of Proposed Changes to Board Bylaw 9324, Minutes and Recordings of Board Meetings

Harvey Kuffner presented the item.

7.12 First Reading of Proposed Changes to Board Policy 0420.43, Charter School Revocation

Harvey Kuffner presented the item.

7.13 First Reading of Proposed Board Policy 3230, Federal Grant Funds

Garry Bousum presented the item.

7.14 First Reading of Proposed Changes to Board Policy 3300, Expenditures for Supplies, Services and Equipment Purchases

Garry Bousum presented the item.

7.15 First Reading of Proposed Changes to Board Policy 3600, Consultants

Garry Bousum presented the item.

7.16 First Reading of Proposed Board Policy 5137, Positive School Climate

Dr. Deneen Guss presented the item.

The Board moved to Item 8.

7.17 Presentation of Resolution No. 18-19-27, North County Youth Recreation Association Manzanita Youth Sports Complex

Board Member Judy Pennycook, Dr. Guss and members of the Board presented Resolution No. 18-19-27 to the North County Youth Recreation Association.

The Board moved to Item 1.4.

8. Reports from Superintendent and/or Staff

Dr. Guss distributed the Board calendar.

8.1 Superintendent's Report

8.1.1 Report of MCOE Program Activities

- "How to Become A Teacher" Workshops
- Equitable Monterey County Ecosystem Panel Presentation

- Monterey Peninsula Chamber of Commerce luncheon
- Monterey County Free Libraries meeting regarding student day
- South County Farm Day
- California Labor Management Initiative Training
- North County Alliance Workshop
- Migrant Education La Familia Conference

8.1.2 Upcoming Events

8.2 Staff Reports

8.2.1 Head Start and Early Head Start Monthly - Written Report

8.2.2 Facilities Update: Joshua Jorn

9. Comments by Members of the Board

9.1 Board Members

10. Reports from Board Members

10.1 Legislation: Janet Wohlgemuth

10.2 Community Human Services: Harvey Kuffner

10.3 Child Abuse Prevention Council: Judy Pennycook

10.4 Monterey County Schools Insurance Group: John McPherson

11. Staff Recognition: None

12. Consideration of Items for Future Meetings

12.1 Proposed Future Commendatory Resolutions

12.2 Proposed Future Agenda Items

- Community School and Master Facilities Plan

13. Next Meeting Dates:

March 13, 2019 – 9 AM (Board Retreat)

April 10, 2019 – 9 AM

Board Agenda Items Due March 28, 2019

Adjourn to Closed Session at 12:32 pm

14. Conference with legal counsel - Anticipated Litigation: significant exposure to litigation (Paragraph (2) or (3) of subdivision (d) of Government Code section 54956.9).

Reconvene from Closed Session at 1:16 PM

Report out from closed session: Direction was provided to legal counsel. No action was taken.

15. The meeting was adjourned at 1:18 PM.

Approved: April 10, 2019

Janet Wohlgemuth, President

Deneen Guss, Ed. D.,
Secretary to the Board