

SHASTA COUNTY BOARD OF EDUCATION

Shasta County Office of Education
1644 Magnolia Ave.
Redding, CA 96001

August 9, 2017
Regular Meeting Minutes

ADOPTED

1. CALL MEETING TO ORDER

The meeting was called to order by President Hull at 1:30 p.m.

Members Present

Kathy Barry
Diane Gerard
Rhonda Hull, President
Steve MacFarland
Laura Manuel, Vice-President
Denny Mills
Elizabeth “Buffy” Tanner

Administrators Present

Judy Flores, Shasta County Superintendent of Schools
Adam Hillman, Associate Superintendent, Administrative Services
Jennifer Baker, Assistant Superintendent, Instructional Services

Others Present

Robin Beeson, Executive Assistant to the Superintendent (Recording Secretary)
(NOTE: The following listed their name and representation on a sign-in sheet, there may have been others in attendance. Those in attendance may have attended only a portion of the meeting.)
Dan Ostrowski, SCOE
Eric Knapp, Public
Kim Niemer, City of Redding
Lynn Weidenkeller, PCA
Arlen Nason, PCA
Matt Miller
Evelyn Hart, Public
De’ An Chambless, SCOE
Jennifer Tarabochia, CTA
Vicki Smith, SCOE
Pete Figura, Public
Chris Hart, PCA
David Kehoe
Adam Ferber
Kristopher Carpenter

2. PLEDGE OF ALLEGIANCE

President Hull led the Pledge of Allegiance.

3. APPROVAL OF REGULAR AGENDA

ACTION: Board Member Tanner moved to approve the Regular Agenda as submitted. Board Member MacFarland seconded the motion. The motion was approved unanimously.

4. HEARING OF PERSONS WISHING TO ADDRESS THE BOARD

President Hull called upon the following who completed a Speaker Card requesting to address the Board:

Kim Niemer encouraged the Board when they go into Closed Session to enter into a sales agreement with the City of Redding for the Magnolia Park. She shared that County Office and City staff have been working on a plan to meet the needs of all involved and that the City is looking into some improvements for the park. Ms. Niemer noted that having Redding School District host the Medical Therapy Unit (MTU) and the County Office and City working together on the park has resulted in positive partnerships.

Eric Knapp stated he is a home owner in the neighborhood of the Magnolia Park and is in support of the Board transferring the ownership of the park to the City of Redding. He indicated it is a win for the kids and families who use the park.

Pete Figura shared that he has been a home owner in the area of the park for 16 years and expressed his appreciation for the location of the MTU being moved to the Redding District site and for the County Office addressing the safety at the Magnolia campus in a way that will not impact the footprint of the park, keeping it open. He noted that his kids have soccer practice at the park and there are often times when teams are competing for space. Mr. Figura added that the transfer of ownership to the City is in the best interest for the County Office as well as they are not in the business of parks where the City is and they have interest in making improvements. It would also provide different avenues for neighbors as they could look into an Adopt a Park Program which is offered by the City.

David Kehoe indicated that as a neighborhood resident for many years, he has had the opportunity to have a personal observation that the park gets lots of use. He stated that he hopes the Board entertains with favor the offer from the City of Redding.

Board Member Hull thanked those who shared their comments.

5. APPROVAL OF CONSENT AGENDA

5.1. Board:

- 5.1.1. June 21, 2017 Special/Budget Study Session Meeting Minutes**
- 5.1.2. June 28, 2017 Regular Meeting Minutes**
- 5.1.3. July 12, 2017 Regular Meeting Minutes**
- 5.1.4. Excuse Board Member Gerard's Absence at June 28, 2017 Regular Board Meeting for Reasons Deemed Acceptable to the Board per Board Bylaw Administrative Regulation 9250 and Ed. Code 1090**

5.2. Administrative Services:

5.2.1. Credentials and Oaths for Temporary Certificates

5.2.2. Resolution Regarding Intent to Sell Personal Property to Another Public Agency – Lassen View Preschool Portable located at 705 Loma Vista Drive, Redding, CA 96002, to Enterprise Elementary School District

5.3. Instructional Services:

5.3.1. Proposed Adoption of Administrative Regulation 6173.3 – Instruction – Education for Juvenile Court School Students (second read)

ACTION: Board Member MacFarland moved to approve the Consent Agenda as submitted. Board Member Gerard seconded the motion. The motion was approved unanimously.

6. INFORMATION

Materials were provided in the Board agenda packet for the following Information items, no discussion took place during the Board meeting unless otherwise noted below.

6.1. Administrative Services:

6.1.1. General Fund Board Report

6.1.2. 2017/18 Budget Update

6.2. Instructional Services:

6.2.1. Quarterly Report on Williams Uniform Complaints

6.3. Board:

6.3.1. Quarterly Report on Requests from Community/Agency for Funding/In-Kind Services

7. PROGRAM PROFILE/UPDATE

7.1. Curriculum and Instruction

Rebecca Lewis, Executive Director of Curriculum and Instruction, referred to information in the agenda packet as she shared a slide presentation that provided an overview of services and resources provided by the department. The Curriculum and Instruction Department offers support and resources to administrators, teachers, students, and the community, many of which are offered through grants and the Reach Higher Shasta initiative. The department is looking at meeting the needs of all by identifying gaps between what schools and districts need and what is currently offered.

Professional development topics that were offered in 2016/17 were reviewed. It was noted that there are professional development opportunities offered by other agencies in addition to what is provided by the County Office. The County Office does offer training to other counties, but only if the local county office gives permission as there are agreed upon protocols which are followed. Because of little additional time of staff, support beyond the county is very limited. A graph was displayed that reflects revenue generated as a result of work as well as grants that off set the cost of personnel.

Executive Director Lewis indicated that with the new CA School Dashboard, there will likely be a need to shift to trainings offered on Differentiated Assistance and Technical Assistance. The Professional Development Center (PDC) facility has opened up options in regards to where

trainings are held locally. Comment was made that because of the PDC being available, the California Department of Education and other statewide educational agencies have brought trainings to the north state that would have otherwise been held outside of the region. It is also utilized by local agencies such as the Shasta-Trinity Schools Insurance Group for regional meetings as well.

7.2. Facilities/Technology Quarterly Update

Dan Ostrowski, Executive Director of Information Technology, Facilities, Maintenance and Operations shared that a new internet filter was installed in response to district needs. He reviewed features of the new filter and noted it was a very complicated, involved process that IT staff took on without reservation completing the project in the evenings and on weekends to minimize the impact to users. It was noted that there is one district that does not utilize the County Office for internet services.

Executive Director Ostrowski reviewed Facilities, Maintenance, and Operations projects that occurred over the summer at various sites and shared photos. He discussed how staff work with the districts to coordinate projects.

8. ACTION

8.1. Board:

8.1.1. Consider Recommendations from Staff and Legal Counsel Regarding Phoenix Charter Academy Charter Petition Appeal

President Hull expressed appreciation to all those involved in the Phoenix Charter Academy (PCA) charter petition appeal and noted it is recognized that many have a vested interest in the charter petition that was submitted and asked that all continue to show respect for one another during the remainder of the process. She indicated that Adam Ferber, the Board's attorney, will be providing an overview of the role of the Board and explain what they will be voting on.

Attorney Ferber stated that today's meeting is the second part of a two part process. The first step was to hold a Public Hearing within 30 days from the receipt of the charter petition appeal which was received on June 19, 2017. The Public Hearing was held on July 12, 2017 at the Regular meeting of the Shasta County Board of Education. The Board has 60 days to make a decision from the date the petition was received.

Attorney Ferber indicated that the nature of this appeal is not considered in the same manner as an Expulsion or an Interdistrict Transfer as the Board does not look back at what the district did, a charter appeal process is different in that it starts with the materials that were provided to the district and takes a new look at it, fact-finding is done, and a decision is then made by the Board. Attorney Ferber added it is critical to point out that staff have provided a recommendation, however, it is up to the Board to adopt a resolution and either deny or grant the charter based on the information presented to them which includes:

1. Petition and exhibits filed by Phoenix Charter School
2. Comments from the July 12, 2017 Public Hearing and correspondence submitted to the Board in connection to the Public Hearing
3. Materials and exhibits considered by the Shasta Union High School District Board
4. Executive Report prepared by County Office staff the includes the recommendation

Attorney Ferber indicated that the Board is allowed to deny the charter petition only if certain findings are noted. He added that items in the charter petition that do not have anything noted are items that are okay and are not of concern. The Board can deny the charter petition for one or more of the following:

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required by the statute.
4. The petition does not contain an affirmation of each of the conditions required by the statute.
5. The petition does not contain reasonably comprehensive descriptions of 16 critical elements of the charter school's operation.

Attorney Ferber indicated based on the review of the materials just described, the Charter Review Team made the following findings, which are set out in greater detail in the Executive Report included in the Board agenda packet:

1. The Petition presented an unsound educational program for the pupils to be enrolled in the Charter School. (Ed. Code Sect. 47605(b)(1))
2. The Petition should be denied because Petitioners are demonstrably unlikely to successfully implement the Program. (Ed. Code Sect. 47605(b)(2))
3. The Petition does not contain reasonably comprehensive descriptions of the following elements required of a charter petition (Ed. Code Sect. 47605(b)(5)):

Element A: Educational Program

Element B: Measure Student Outcomes

Element C: Methodology for Measuring Pupil Progress

Element E: Employee Qualifications

Element F: Procedures to Ensure Health and Safety of Pupils

Element G: Means to Achieve Racial and Ethnic Balance

Element H: Admission Requirements

Element I: Annual Conduct of Financial Audits

Element J: Procedures by Which Pupils Can Be Expelled or Suspended

Element K: Staff Member Retirement Coverage

Element N: Dispute Resolution

Based on these findings, the Charter Review Team has recommended that the Board deny the petition. Attorney Ferber indicated if the Board denies the petition; it is up to the Charter School as to what they will do. In his opinion, their mostly likely recourse is to petition the State Board of Education.

President Hull indicated that the recommendation before the Board is to deny the Phoenix Charter Academy petition and indicated that those who are interested in addressing the Board are requested to complete a Speaker Card. She noted that the Board's policy is to allow 20 minutes for

comments on an item with a maximum of 3 minutes per person or 5 minutes for someone speaking on behalf of a group and explained that Associate Superintendent Hillman would be keeping time. As Kristopher Carpenter was the only one who completed a Speaker Card, President Hull informed him that he had 5 minutes to share his comments.

Attorney Carpenter stated that he is with Young, Minney & Corr, LLP and provided a handout that was addressed to Superintendent Flores and Board Members from Dr. Patricia Dougherty, Lead Petitioner for Phoenix Charter Academy, regarding the Phoenix Charter Academy response to the Shasta County Office of Education's Charter School Petition Review Executive Report. He indicated that the Board has before them a decision to grant or deny the charter petition presented to them and also a decision to receive or not receive part of the revenue that will be generated by the charter school. He asked that the handout he provided be part of the record and indicated it is a rebuttal to refute the information included in the County Office's report recommending denial of the charter petition. Attorney Carpenter indicated if the Board denies the charter petition, it will be submitted to the State Board of Education as it is felt it meets or exceeds a comprehensive description of the 16 elements required by Ed. Code section 47605(b).

Attorney Carpenter presented an overview of the information included in the handout he provided that included reasons it is felt the County Office's report does not meet the legal standards for denial of a charter petition and indicated that the findings presented are not based on the charter petition submitted, do not accurately reflect the policies or practices of PCA, and misstates material information. It was noted that the handout provides a response from PCA to each of the County Office's findings.

Attorney Carpenter asked the board to consider whether this charter should be kept local or allow the state to do hold the charter. He asked the board if they would want to keep the revenue local or allow it to go to the state. Carpenter stated that PCA has the support of many in the community and they are fighting for parents' right to choose a school that is right for them. He indicated there is a lot of information to digest and added that the recommendation in the County Office's report appears to focus on the history of the Academy of Personalized Learning (APL) which he feels is out of the Board's scope and an error in the law as the focus should be on the petition. Attorney Carpenter added there were no errors in the petition that could not be worked out with staff through a Memorandum of Understanding (MOU).

Attorney Carpenter reported that the unfair labor charges against APL were dismissed as of June 30, 2017. He added that there were comments made at a local hearing by prior APL staff that they thought they had a job for life. His response is that the purpose of APL was not to provide a job for life, but to educate students. Attorney Carpenter indicated that the County Office staff report quotes the California Teachers Association (CTA) at face value noting there are errors to the facts stated that include misrepresentation. He concluded by stating at the end of the day a decision needs to be made by the Board if they will support PCA or not adding that he hopes the Board rules on the side of families and students.

President Hull asked Attorney Ferber for his closing comments. Attorney Ferber thanked the County Office staff and requested it be in the record that they were very professional, welcoming, and supportive noting that everything went smoothly. He reiterated that if there was an area in the

charter petition that was not mentioned in the Executive Report that staff felt the information provided met the requirements. A reminder was made that whatever decision the Board makes, it will require a majority vote of the entire Board based on a motion and second. A resolution will be drafted by Attorney Ferber with input from County Office staff consistent with the decision of the Board.

Attorney Ferber concluded by stating that the Executive Report focused on what was insufficient and that because it was felt the petition and materials provided did not support a sound educational program based on the information provided for Elements A, B, C, E, F, G, H, I, J, K, and N the staff's recommendation is to deny the petition.

ACTION: Board Member MacFarland moved to deny the petition and adopt the findings of the staff report that support the denial as the Board's findings. Board Member Gerard seconded the motion.

Board Member Mills commented that Attorney Carpenter indicated that it was not appropriate to consider the charter's past and indicated she felt it was appropriate to consider. Attorney Ferber stated that the State Board of Education will consider the same Elements that were reviewed by County Office staff and will likely consider the charter schools past as there were reasons the APL charter was revoked by the sponsoring district. Board Member Mills added that the financial aspect was a concern to her in regards to the long-term financial liability.

Board Member Tanner stated that the Board is not charter unfriendly as they sponsor 3 charter schools and indicated if the Board denies a charter petition it is because there is concern. She added that there are a number of charter schools in the county that provide the same offerings as PCA and are in the same geographical area so there is no compelling argument that there are not choices for families and students.

Vice-President Manuel indicated that she appreciated the depth and detail of the report compiled by County Office staff. She noted that Shasta County embraces choices as the districts offer open enrollment between districts.

President Hull called for the vote, the motion was approved unanimously with the following vote:

AYES:	Barry, Gerard, Hull, MacFarland, Manuel, Mills, Tanner
NOES:	None
ABSTENTIONS:	None
ABSENT:	None

9. BOARD BUSINESS

9.1. Board Comments/Discussion/Reports/Correspondence:

9.1.1. Follow-Up with Project SHARE Staff Regarding 2016/17 Board Site Visits

Superintendent Flores shared that Board Member MacFarland suggested when visits were completed last year to Project SHARE sites that the staff be invited to a Board meeting for the Board to provide them feedback. She referred to the information included in the agenda packet that listed the sites visited, date, and Board Member that attended and then introduced Allyson

Harris as the Project SHARE Director and Diana Bates and Cynthia Vengley as Area Coordinators. It was noted that Jill McWilliams is also an Area Coordinator, but was unable to attend.

Board Members commented on areas that included: Project SHARE following a school site that moved to a Montessori model to offer consistency for the students; the nurturing relationships between staff and students; offerings provided to high school students that keep them stimulated; how students at all levels were always engaged; how staff want to be there and see value in the program they provide; and the importance of how the program goes beyond after school child care as they provide homework assistance, nutritious snacks, exercise programs, and a variety of offerings that interest the students. It was noted that while it was shared previously with the Board that there were fiscal concerns, Project SHARE staff worked with district/school site staff and parents to come up with solutions that worked for each individual site.

Director Harris indicated that the program has high expectations that follow the County Office Mission and Core Values. She expressed appreciation to the Board for providing feedback as it means a lot to the staff who work really hard to provide a quality program.

Superintendent Flores shared that she and Assistant Superintendent Baker attended an Expanded Learning Institute in Chico where several from Shasta County were presented awards for their work in after school programs. Discussion took place regarding the partnerships between Project SHARE and school site staff. Program funding was explained by Director Harris who indicated that Shasta County is unique in the region as they receive ASES (state funding) and 21st Century federal funding. She indicated more awareness needs to be provided regarding the need for increased funding as expanded learning programs are in jeopardy across the nation. The Board offered to provide a letter of support if needed.

9.1.2. Schedule Time and Propose Location/Agenda Items for September 27, 2017 Board Planning Session

Superintendent Flores indicated that in the past the Board has reviewed the mission, vision, and core values at the September Planning Session as well as looked at goals to focus on for the current year. Discussion took place regarding agenda items and Board Member Mills shared ideas of topics she learned about at the CSBA Conference that included the Board setting their own goals and doing a self-evaluation. Board members shared that the Board had done both of these in the past and that the goals were the result of an unhealthy relationship with a prior Superintendent and the self-evaluation was implemented due to challenges that existed with board relations in the past. When these factors were no longer in place, the Board made the decision to discontinue their own goals and self-evaluation.

Superintendent Flores suggested taking time within the Planning Session to develop a Board Focus Area(s) for the school year to address the suggestions made by Board Member Mills. Board Member Barry suggested Improvement Science at a level appropriate for Board Members as part of the Board Planning Session.

After discussion, it was agreed that the start time would be 10:00 a.m. and the meeting would conclude by 3:00 p.m. or earlier. The County Office PDC and the McConnell Foundation Guest

House were suggested as locations. Board Member MacFarland noted that he will not be in attendance as he will be on vacation.

9.1.3. Other Comments

Board Member Barry indicated that there will be a solar eclipse on the morning of August 21, 2017 when school will be in and asked if there was any information going out to the schools with guidelines with precautionary measures. It was indicated that Nathan Fairchild, Director of Education Programs, will be contacted and asked to send information out to the schools and preschools. Comment was made that parents may be pulling their children out of school to view the eclipse as a family which could have an impact on attendance.

10. SUPERINTENDENT'S REPORT

10.1. Community Connection

Superintendent Flores indicated that she wants to focus on already existing County Office community connections that the Board might not be aware of. Over the course of this year, she will be inviting staff to share under the Superintendent's Report community connections their programs have.

Kelly Rizzi, Director of School and District Support, who is the County Office representative for the Strengthening Families Collaborative was introduced. Director Rizzi provided a handout and indicated that the collaborative was formed in 2012. The group consists of more than 30 agencies who work together to reduce the prevalence of Adverse Childhood Experiences (ACEs) in Shasta County by breaking cycles. She listed several of the non-profit, government, and private sector agencies that collaborate and reviewed resources and services provided.

Discussion took place regarding the trauma training Director Rizzi provides to educators that will also be rolled out to parents. It was noted that foster parents are now required to go through the training and it will also be provided to social workers in the future. Superintendent Flores noted that the information will be shared with District Superintendents at their meeting in September.

10.2. Other Comments

Charter Petition Appeal – Superintendent Flores indicated that she wanted to publically thank those who participate in the review process noting it took an enormous amount of time, she acknowledged the individuals involved.

Facebook – Superintendent Flores stated that Facebook is being utilized as a means of communication to get the word out about the good work the County Office does noting that Shasta County as a community has a strong Facebook presence. She shared that she and a couple staff conducted a conference call with the Information Technology person at San Joaquin County Office as they have a great Facebook page in order to get insight on how they utilize this communication resource. Programs will be asked to provide information to designated staff to post on a regular basis being mindful to only include children that have parent permission on file for photos. Superintendent Flores will attend district events and post photos of them as well. It was noted that LinkedIn is beginning to be utilized for electronically sharing open positions.

California Statewide System of School Support – It was reported that the County Office is one of three in the state that has been asked to participate in this process alongside the State Board of Education, the Department of Education, the California Collaborative for Educational Excellence (CCEE), and the California County Superintendents Educational Services Association (CCSESA). Other county superintendents participating are from Kern and Sacramento. The group is looking at what Differentiated Assistance and the broader system of support will look like for districts throughout the entire state. Superintendent Flores stated this is an important opportunity for the County Office to help shape a viable system.

All Call – This event is scheduled for Monday, August 14, 2017 and will be held at Shasta College. Breakfast will be provided from 7:15-7:45 a.m. behind the theatre with the meeting starting at 8:00 a.m. inside the theater. Superintendent Flores provided an overview of how the meeting will proceed and how longevity pins will be presented and raffle prizes given. Board Member Gerard questioned why the Board does not contribute to raffle prizes. It was explained that the three bargaining units are asked to contribute \$100 each and the County Office matches this amount, the Board is contributing through the budget approval process.

Independent Study Charter School – Carie Webb was introduced as the Vice-Principal for the charter school, it was noted this is a new position.

Superintendent's Highlights – Board Member Barry expressed appreciation to Superintendent Flores for sharing regularly with the Board highlights of the work she is doing.

11. DISCUSSION

11.1. Board Policy 5111 – Students – Admission (first read)

Mary Lord, Executive Director of Student Program, reported this new policy is based on immigration laws and addresses protecting students from being asked about their immigration status. She indicated that questioning students in regards to their immigration status could lead to things such as bullying and societal issues. It was noted that the policy will come to the next meeting as second read action item.

12. DISCUSSION/ACTION

The Board went into Closed Session at 4:45 p.m.

Closed Session

12.1. Pursuant to Government Code Section 54956.8, the Board will meet in closed session for the following:

- **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**Property: 1644 Magnolia Ave., Redding, CA 96001; APN 105-230-009;
APN 105-240-001; APN 105-240-002**

Agency Negotiators: Adam Hillman, Dan Ostrowski

Negotiating Parties: Shasta County Office of Education and City of Redding

Under Negotiation: Price and essential terms and conditions of property exchange, lease, or sale

Open Session

12.2. Report from Closed Session

The Board reconvened to Open Session at 4:55 p.m. President Hull stated there was no reportable action taken in Closed Session.

13. SUGGESTIONS FOR FUTURE AGENDA ITEMS

State test results was suggested for the September 27, 2017 Planning Session agenda.

A reminder was given that a report from Probation staff on the Juvenile Rehabilitation Facility had been requested for the Planning Session, September, or October Board meeting based on their availability.

14. REMINDERS/UPCOMING EVENTS

- **August 14, 2017 – All Call at Shasta College**
 - 7:15-7:45 a.m. Breakfast at Amphitheatre Behind Theatre
 - 8:00-10:30 a.m. Meeting in Theatre (building 500)

15. NEXT MEETING – September 13, 2017, 1:30 p.m. at Shasta County Office of Education, 1644 Magnolia Ave., Redding, CA 96001

16. ADJOURN

President Hull adjourned the meeting at 4:58 p.m.

Respectfully submitted,

Judy Flores, Shasta County Superintendent of Schools
Ex-Officio Secretary to the Board