

**SAN JOAQUIN COUNTY BOARD OF EDUCATION
GAYLORD A. NELSON EDUCATION CENTER / BOARD ROOM
2901 ARCH-AIRPORT ROAD / STOCKTON, CA
AUGUST 19, 2015 / 5:00 P.M.
REGULAR MEETING
MINUTES**

PRESENT: Janet Dyk, President; Vernon Gebhardt, Vice-President; Dave Sorgent, Board member; Mark Thiel, Board Member (late); James Mousalimas, Secretary.

ABSENT: Peter Ottesen, Board member.

OTHERS PRESENT: Jim Thomas, Deputy Superintendent; Kathy Skeels, Assistant Superintendent; Janine Cuaresma, Assistant Superintendent; Jane Steinkamp, Assistant Superintendent; Gary Dei Rossi, Karen DePrater, Wendy Frink, KT Yorba, Bruce Kern, Lisa Pettis, Nancy Hopple, Kelly Fry, SJCOE staff; Suzanne Fagundes, Lincoln Unified School District; Kevin Simas, Lammersville Unified School District; Sam Strube, Tracy Unified School District; Interdistrict transfer hearing appellants and families; Expulsion hearing appellant and family; Brenda Scholl, Kathy Scholl, Susan Dell'Osso, and teachers and staff from River Islands Technical Academy #2; Janai Stanton, Recorder.

I. CALL TO ORDER:

President Dyk called the meeting to order at 5:00 p.m. Janine Cuaresma, Assistant Superintendent, led the Pledge of Allegiance.

II. ADDITIONS TO THE AGENDA: There were no additions to the agenda.

III. COMMENTS: There were no comments from the audience.

IV. PUBLIC HEARING:

Public Hearing Regarding the Sufficiency of Instructional Materials: President Dyk opened the public hearing to discuss and receive input from the public relative to the sufficiency of instructional materials for the 2015 – 2016 school year. She noted the declaration of sufficient materials from County Operated Schools and Programs and Special Education Program. There were no comments relative to the topic. The public hearing was closed.

V. ITEMS SCHEDULED FOR ACTION:

1. Minutes: On a motion from Vern Gebhardt, second by Dave Sorgent, the Board approved the minutes from the June 24, 2015 meeting as presented.

AYES: Dyk, Gebhardt, Sorgent
NOES: None
ABSTAIN: None
2. Charter School Petition Appeal: On a motion from Vern Gebhardt, second by Dave Sorgent, the Board approved the charter school petition appeal for River Islands Technology Academy #2 as presented.

AYES: Dyk, Gebhardt, Sorgent
NOES: None
ABSTAIN: None
3. 2015 – 2016 Local Control and Accountability Plan Re-adoption: On a motion from Dave Sorgent, second by Vern Gebhardt, the Board re-adopted the 2015 – 2016 Local Control and Accountability Plan as presented.

AYES: Dyk, Gebhardt, Sorgent
NOES: None
ABSTAIN: None
4. Resolution #15-16-01 – Sufficiency of Instructional Materials: On a motion from Vern Gebhardt, second by Dave Sorgent, the Board approved the resolution regarding the sufficiency of instructional materials in County Operated Schools and Programs and Special Education Program as presented.

AYES: Dyk, Gebhardt, Sorgent
NOES: None
ABSTAIN: None
5. Resolution #15-16-02 – Observance of Constitution Day: On a motion from Vern Gebhardt, second by Dave Sorgent, the Board approved this resolution in recognition of United States Constitution Day.

AYES: Dyk, Gebhardt, Sorgent
NOES: None
ABSTAIN: None

6. Resolution #15-16-03 – National Hispanic Heritage Month: On a motion from Vern Gebhardt, second by Dave Sorgent, the Board approved this resolution in recognition of National Hispanic Heritage Month.

AYES: Dyk, Gebhardt, Sorgent
NOES: None
ABSTAIN: None

7. Board Bylaw Revision: On a motion from Dave Sorgent, second by Vern Gebhardt, the Board approved the proposed revision to Board Bylaw 9223 as presented.

AYES: Dyk, Gebhardt, Sorgent
NOES: None
ABSTAIN: None

VI. CLOSED SESSION: Action taken in Closed Session was announced in Open Session.

- Interdistrict Transfer Appeal Hearing #02-15-16
- Interdistrict Transfer Appeal Hearing #03-15-16
- Interdistrict Transfer Appeal Hearing #04-15-16
- Interdistrict Transfer Appeal Hearing #05-15-16
- Interdistrict Transfer Appeal Hearing #06-15-16
- Interdistrict Transfer Appeal Hearing #07-15-16

- Expulsion Appeal Hearing #15-16/04

VII. ITEMS SCHEDULED FOR ACTION (continued):

8. Interdistrict Transfer Appeal Hearing #02-15-16: On a motion from Mark Thiel, second by Vern Gebhardt, the Board upheld the decision by the Governing Board of the Lincoln Unified School District and denied transfer of attendance of student #02-15-16 from the Lodi Unified School District.

AYES: Dyk, Gebhardt, Sorgent, Thiel
NOES: None
ABSTAIN: None

9. Interdistrict Transfer Appeal Hearing #03-15-16: On a motion from Vern Gebhardt, second by Dave Sorgent, the Board reversed the decision by the Governing Board of the Lincoln Unified School District and ordered the transfer of attendance of student #03-15-16 from the Lodi Unified School District.

AYES: Dyk, Gebhardt, Sorgent, Thiel
NOES: None
ABSTAIN: None

10. Interdistrict Transfer Appeal Hearing #04-15-16: On a motion from Dave Sorgent, second by Vern Gebhardt, the Board upheld the decision by the Governing Board of the Lincoln Unified School District and denied transfer of attendance of student #04-15-16 from the Stockton Unified School District.

AYES: Dyk, Gebhardt, Sorgent, Thiel
NOES: None
ABSTAIN: None

11. Interdistrict Transfer Appeal Hearing #05-15-16: On a motion from Dave Sorgent, second by Vern Gebhardt, the Board upheld the decision by the Governing Board of the Lincoln Unified School District and denied transfer of attendance of student #05-15-16 from the Stockton Unified School District.

AYES: Dyk, Gebhardt, Sorgent, Thiel
NOES: None
ABSTAIN: None

12. Interdistrict Transfer Appeal Hearing #06-15-16: On a motion from Dave Sorgent, second by Vern Gebhardt, the Board upheld the decision by the Governing Board of the Lincoln Unified School District and denied transfer of attendance of student #06-15-16 from the Stockton Unified School District.

AYES: Dyk, Gebhardt, Sorgent, Thiel
NOES: None
ABSTAIN: None

13. Interdistrict Transfer Appeal Hearing #07-15-16: On a motion from Mark Thiel, second by Vern Gebhardt, the Board reversed the decision by the Governing Board of the Lammersville Unified School District and ordered the transfer of attendance of student #07-15-16 from the Tracy Unified School District.

AYES: Dyk, Gebhardt, Sorgent, Thiel
NOES: None
ABSTAIN: None

14. Expulsion Appeal Hearing #15-16/04: On a motion from Mark Thiel, second by Vern Gebhardt, the Board found there is relevant material evidence, which, in the exercise of reasonable diligence, could not have been produced or was improperly excluded from the hearing before the Tracy Unified School District. Therefore, the Board ordered the matter be returned to the Tracy Unified School District for reconsideration of newly discovered, relevant material evidence not produced or improperly excluded during the original hearing. Further, the Board noted that pending a new hearing, the student shall continue to attend school where he is currently enrolled and shall not attend a Tracy Unified School District school unless the Tracy Unified School District Governing Board finds otherwise.

AYES: Dyk, Gebhardt, Sorgent, Thiel
NOES: None
ABSTAIN: None

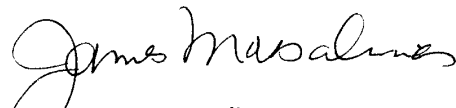
VIII. CLOSING COMMENTS FOR BOARD MEMBERS:

- Superintendent Mousalimas read an email from former Ripon Unified School District Superintendent Bill Draa, that said the Ripon Unified School District Governing Board had approved the implementation of an Administrative Hearing Panel for future expulsion hearings.
- The next regular San Joaquin County Board of Education meeting will be held September 16, 2015, 12:00 p.m., at 2901 Arch-Airport Road, Stockton, CA.

IX. ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:15 p.m.

Respectfully submitted,



James A. Mousalimas
Secretary to the Board /
County Superintendent of Schools