

# SOLANO COUNTY BOARD OF EDUCATION

## MINUTES

### Special Meeting/Interdistrict Attendance Appeal Hearing #2

May 11, 2016

In accordance with Education Code sections 46601–46603, the Solano County Board of Education met on Wednesday, May 11, 2016, in a *Closed Hearing* to act as an appeals board to review an interdistrict attendance appeal.

#### I. CALL TO ORDER

Board President Dana Dean called the meeting to order at 7:35 PM.

#### II. ROLL CALL

##### Members Present

Dana Dean, President (Trustee Area 3)  
Elease Cheek, Vice President (Trustee Area 5)  
Mayrene Bates (Trustee Area 4)  
Peggy Cohen-Thompson (Trustee Area 7)  
Michelle Coleman (Trustee Area 1)  
Doug Ford (Trustee Area 6)  
Raymond Silva (Trustee Area 2)

Trustee Dean welcomed those in attendance and noted that a quorum of Board Members was present.

#### III. APPROVAL AND ADOPTION OF AGENDA

Motion was made by Trustee Bates, seconded by Trustee Cheek, and unanimously carried by a vote of those present to approve and adopt the agenda as presented.

#### IV. PUBLIC COMMENT ON CLOSED HEARING AGENDA ITEM

There were no comments from members of the public.

#### V. CLOSED HEARING OPENS

The hearing began at 7:38 PM.

- (a) Introduction of appellant, district representatives, SCOE staff, legal counsel, others present

Lisette Estrella-Henderson, Associate Superintendent of Student Programs and Educational Services, introduced herself and explained her role as facilitator of the hearing. She also introduced Solano County Superintendent of Schools Jay Speck, who is Secretary to the Board, and Dr. Victor Romualdi, Assistant Superintendent of Student Programs, who served as timekeeper. These three individuals are non-voting participants in this matter, and only the Board Members vote on the outcome. The Board Members introduced themselves.

The student (Appellant) is a 13-year-old male in eighth grade who was present along with his mother.

The Respondent, Vallejo City Unified School District (VCUSD), was represented by Edison Kelly, Coordinator of School Management & Support, and Phillip Shelley, Director of School Management & Support.

- (b) Review of legal authorization, purpose, scope, and procedures of the interdistrict attendance appeal hearing and materials pertaining to the appeal

Mrs. Estrella-Henderson stated that the expulsion appeal was being held as a closed hearing. All parties had received a record of the case in advance for their review. Mrs. Estrella-Henderson reviewed

the hearing procedures, order of presentations, and 10-minute time limit for each side, which could be split between opening and closing statements in whatever portions the presenters chose. She explained the Board's limited authority and possible actions that the Board could take.

#### **VI. PRESENTATION OF CASE**

Mrs. Estrella-Henderson stated that, following the opening statements, the Board Members would be given the opportunity to ask questions of the presenters, and questions were to be limited to the scope of the hearing.

(a) Opening statement by Appellant

The Appellant's mother made a statement in support of granting the appeal to allow the student to attend school outside of the district of residence (VCUSD).

(b) Opening statement by representative(s) from District of Residence and District of Proposed Attendance, when applicable

Mr. Kelly and Mr. Shelley talked about VCUSD's various programs and some of the district's recent improvements.

The Appellant, his mother, and VCUSD's representatives answered questions from the Board.

(c) Closing remarks by Appellant

Appellant's mother made a closing statement asking that the Board approve the request for her son to attend school in another district.

(d) Closing remarks by representative(s) from District of Residence and District of Proposed Attendance, when applicable

VCUSD's representatives made a closing statement on behalf of the district and encouraged the Board to affirm the district's decision to deny the Appellant's request.

#### **VII. HEARING CLOSES – CLOSED SESSION DELIBERATIONS BEGIN**

The hearing closed at 7:55 P.M. Pursuant to Education Code §35146, the Board adjourned to closed session to deliberate the appeal.

#### **VIII. RECONVENE IN OPEN SESSION**

The Board reconvened at 8:05 PM.

Motion was made by Trustee Cheek, seconded by Trustee Coleman, and carried by the following roll call vote to grant the appeal based on the facts of the case and evidence presented. (AYES (5): Trustees Bates, Coleman, Ford, Silva, Cheek; NOES (2): Trustee Cohen-Thompson, Dean; ABSTINCTIONS (0): None; ABSENCES (0): None)

#### **IX. ADJOURNMENT**

There being no further business, the hearing concluded and the meeting was adjourned at 8:07 PM.

*Signature on File*

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Jay Speck  
Secretary to the Solano County Board of Education