

SOLANO COUNTY BOARD OF EDUCATION

MINUTES Special Meeting/Interdistrict Attendance Appeal Hearings #1 May 16, 2016

In accordance with Education Code sections 46601–46603, the Solano County Board of Education met on Monday, May 16, 2016, in a *Closed Hearing* to act as an appeals board to review the interdistrict attendance appeals of three siblings.

I. CALL TO ORDER

Board President Dana Dean called the meeting to order at 6:01 PM.

II. ROLL CALL

Members Present

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

Members Absent

Mayrene Bates (Trustee Area 4)

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 Silva, seconded by Trustee Coleman, 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 6:04 PM.

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

Lisette Estrella-Henderson, Associate Superintendent of Student Programs and Educational Services, explained her role as facilitator of the hearing. She introduced Solano County Superintendent of Schools Jay Speck, who serves as Secretary to the Board; Dr. Victor Romualdi, Assistant Superintendent of Student Programs, who served as timekeeper; and Julia Gan, Paraeducator, who served as interpreter. None of these four individuals are voting members in this matter; only the Board will vote on the outcome. The Board Members introduced themselves.

The students, Appellant A (a 6-year-old male in kindergarten), Appellant B (a 9-year-old female in 4th grade), and Appellant C (a 13-year-old male in 7th grade) were not present but were represented by their mother and father.

The Respondent, Vallejo City Unified School District (VCUSD), was represented by Phillip Shelley, Director of School Management & Support; Edison Kelly, Coordinator of School Management & Support; Greg Allison, Principal of Glen Cove Elementary School; and Dawn Werb, Clerk at Vallejo Charter School.

- (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. Prior to the hearing, all parties involved had been given a record of the case for their advance review. Mrs. Estrella-Henderson reviewed the hearing procedures and order of presentations on the agenda. She explained the Board's limited authority and possible actions that the Board may take. Following the presentation of the case, the Board Members will have an opportunity to ask questions of the presenters. Questions shall be limited to the scope of the hearing.

VI. PRESENTATION OF CASE

(a) Opening statement by Appellant(s)

The Appellants' mother and father spoke in support of granting the appeal to allow all three students to attend school outside of the district of residence (VCUSD). Both father and mother answered questions from the Board Members.

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

Mr. Shelley stated that the district's decision to deny the Appellants' requests was based on the parents' reason of wanting programs for their children that they said were not offered in VCUSD, but the appeal filed with SCOE and tonight's testimony cited safety reasons that the schools and district were neither aware of nor given an opportunity to resolve. The VCUSD representatives answered questions from the Board.

(c) Closing remarks by Appellant(s)

Appellants' parents made a closing statement.

(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.

VII. HEARING CLOSES – CLOSED SESSION DELIBERATIONS BEGIN

The hearing closed at 6:45 PM. Pursuant to Education Code §35146, the Board adjourned to closed session to deliberate the appeal.

VIII. RECONVENE IN OPEN SESSION

The Board reconvened at 6:52 PM.

For Student A, motion was made by Trustee Coleman, seconded by Trustee Silva, and unanimously carried by a roll call vote of those present to grant the appeal based on the facts of the case and evidence presented.

For Student B, motion was made by Trustee Coleman, seconded by Trustee Ford, and unanimously carried by a roll call vote of those present to grant the appeal based on the facts of the case and evidence presented.

For Student C, motion was made by Trustee Coleman, seconded by Trustee Ford, and unanimously carried by a roll call vote of those present to grant the appeal based on the facts of the case and evidence presented.

IX. ADJOURNMENT

There being no further business, the hearing concluded and the meeting was adjourned at 6:55 PM.

Signature on File

Jay Speck
Secretary to the Solano County Board of Education