

SOLANO COUNTY BOARD OF EDUCATION

**MINUTES**  
**Special Meeting/Interdistrict Attendance Appeal Hearing**  
**May 10, 2017**

In accordance with Education Code sections 46601–46603, the Solano County Board of Education met on Wednesday, May 10, 2017, 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 5:04 PM.

**II. ROLL CALL**

Members Present

Dana Dean, President (Trustee Area 3)  
Elease Cheek, Vice President (Trustee Area 5) (*arrived at 5:10 PM*)  
Mayrene Bates (Trustee Area 4)  
Peggy Cohen-Thompson (Trustee Area 7)  
Michelle Coleman (Trustee Area 1)  
Amy Sharp (Trustee Area 2)

Members Absent

Doug Ford (Trustee Area 6)

Trustee Dean welcomed those in attendance and noted that a quorum was present as was Solano County Superintendent of Schools Lisette Estrella-Henderson, serving as Secretary to the Board.

It was noted that the Appellant and/or representatives were not present, although they indicated to staff that they would attend the hearing. Options on how to proceed were discussed including continuing the hearing without Appellant, reducing Appellant's time to present their case, or changing the order of presentations by having Respondent go first.

At 5:06 PM, Trustee Dean called for a five-minute recess while staff attempted to contact Appellant.

The meeting reconvened at 5:11 PM upon arrival of the Appellant's representative.

**III. APPROVAL AND ADOPTION OF AGENDA**

Motion was made by Trustee Coleman, seconded by Trustee Cohen-Thompson, 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 5:12 PM.

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

Solano County Office of Education (SCOE) staff:

- Victor Romualdi, Assistant Superintendent of Student Programs, served as hearing facilitator
- Kim Kopp, Assistant Superintendent of Educational Services and Special Education, served as timekeeper

The Board Members introduced themselves.

Appellant: The student is a 13-year-old male in 8<sup>th</sup> grade, who was not present but was represented by his father.

Respondent – representatives of Vallejo City Unified School District (VCUSD):

- Phillip Shelley, Director of School Management & Support
- Edison Kelly, Coordinator of School Management & Support
- Shayla Bowman, Principal of Solano Middle School
- Kimberly Lewis, Vice Principal of Solano Middle School

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

Dr. Romualdi stated that the expulsion appeal was being held as a closed hearing. He summarized the case and explained the hearing process, Board's limited authority, and possible actions of the Board. All parties present had received a record of the case in advance. He reviewed the agenda and order of presentations. The Appellant and Respondent were each given a total of 10 minutes in which to make their opening statements and closing remarks. The Board may ask the presenters questions, which shall be limited to the scope of the hearing. Only the Board will vote after the hearing; staff members do not vote on the matter.

## **VI. PRESENTATION OF CASE**

(a) Opening statement by Appellant

Appellant's father spoke in support of granting the appeal to allow the student to attend school outside of the district of residence (VCUSD) because he wants a better education for his son than he feels VCUSD high schools can provide. His son wants to play sports, he has concerns about safety, and his family lives closer to a high school outside the district than inside. He answered questions from the Board.

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

Mr. Shelley and Dr. Kelly showed a PowerPoint to address the issues brought up by the parent and distributed information about open enrollment to other high schools within the district. Both spoke in support of affirming the district's decision to deny the Appellant's request. The VCUSD staff answered questions from the Board.

(c) Closing remarks by Appellant

Appellant's representatives made a closing statement.

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

Mr. Shelley made a closing statement on behalf of the district.

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

The hearing closed at 5:45 PM. Pursuant to Education Code §35146, the members of the Board adjourned to closed session to deliberate the appeal.

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

The Board reconvened at 6:04 PM.

Motion was made by Trustee Cohen-Thompson, seconded by Trustee Coleman, and carried unanimously by a roll call vote of those present to affirm the district governing board's decision and deny the appeal based on the facts of the case and evidence presented. (AYES (6): Trustees Bates, Cohen-Thompson, Coleman, Sharp, Cheek, Dean; NOES (0): None; ABSTINTIONS (0): None; ABSENCES (1): Trustee Ford)

**IX. ADJOURNMENT**

There being no further business, the hearing concluded and the meeting was adjourned at 6:07 PM.

*Signature on File*

---

Lisette Estrella-Henderson  
Secretary to the Solano County Board of Education