



SANTA CRUZ
COUNTY OFFICE OF
EDUCATION
DR. FARIS SABBABH • SUPERINTENDENT OF SCHOOLS

Santa Cruz County Board of Education • 400 Encinal Street, Santa Cruz, CA 95060 • Tel (831) 466-5900 •
www.santacruzcoe.org

Mr. Ed Acosta • Ms. Alyssa Alto • Ms. Rose Filicetti • Ms. Sandra Nichols
Ms. Sue Roth • Mr. Abel Sanchez • Mr. Bruce Van Allen

Santa Cruz County Board of Education
Special Board Meeting
Thursday September 30, 2021
Open Session 4:00PM
Held by Videoconference Only

NOTICE:

In order to meet the most recent guidelines from the Santa Cruz County Health Services Agency in regard to COVID-19, this meeting will be **limited to virtual participation only** and made available online via a live video-conference at the following web address:

<https://santacruzcoe-org.zoom.us/j/81913041783>

Or join by phone:

Phone Number: +1 (669) 900 6833
Meeting ID: # 819 1304 1783

PUBLIC COMMENT:

Any person wishing to make a public comment will have the opportunity to do so via videoconference during the virtual meeting for up to two minutes each for any item listed on the agenda. To submit a comment to be read aloud on your behalf either listed or not listed on the meeting agenda, please send a comment no longer than 300 words to vvalentin@santacruzcoe.org no later than 2:00PM on September 30th. Each individual may only make one comment per topic.

Cualquier persona que desee hacer un comentario público tendrá la oportunidad de hacerlo por videoconferencia durante la reunión virtual hasta dos minutos cada uno para cualquier tema que esté incluido en la agenda. Para enviar un comentario para ser leído en voz alta en su nombre, ya sea para un tema en la agenda o no en la agenda, envíe un comentario de no más de 300 palabras a vvalentin@santacruzcoe.org a más tardar a las 2:00PM del 30 de septiembre. Cada individuo solo puede hacer un comentario por tema.

AGENDA

1. CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF QUORUM

Rose Filicetti (President), Ed Acosta, Alyssa Alto, Sandra Nichols, Sue Roth, Abel Sanchez, Bruce Van Allen
Faris Sabbah, Secretary

2. PLEDGE OF ALLEGIANCE

Superintendent Sabbah (Secretary) will lead the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Agenda deletions and/or changes of sequence will be approved or the agenda will be approved as submitted.

4. PUBLIC COMMENT

This is an opportunity for the public to address the Board regarding items not on the agenda. The Board President will recognize any member of the audience not previously placed on the agenda who wishes to speak on any item listed on the agenda. Each speaker, on any item on the agenda, may speak up to **two (2) minutes** unless otherwise limited or extended by the President. The President may allot time to those wishing to speak but no action will be taken on matters presented (EDC § 35145.5). If appropriate, the President, or any Member of the Board, may direct that a matter be referred to the Superintendent's Office for placement on a future agenda. Please refer to item, *Please Note*, on the last item of this agenda.

5. CORRESPONDENCE

Official correspondence received by the Board is included herein.

6. PUBLIC HEARINGS, NEW BUSINESS, AND ACTION ITEMS

6.1 Adoption of Resolution #21-15 Declaring Bonny Doon to be a Grossly Inappropriate Setting for the Release of a Sexually Violent Predator

The State of California is proposing the supervised release of a legally designated "sexually violent predator" to reside in Bonny Doon, California. The placement of this individual in Bonny Doon would reasonably impose a chronic fear for safety in its residents because adequate monitoring may not be possible. The proposed residential placement of this particular individual in Bonny Doon would raise legitimate physical and psychological safety concerns for its residents. The Board of Education will consider adopting Resolution #21-15.

Presenter(s): Sandra Nichols, Chair, Community Outreach and Legislation Committee

Motion &
Roll Call Vote: Rose Filicetti (President)

6.2 Discussion and Possible Approval of Resolution #21-16 Authorizing Use of Remote Teleconferencing Provisions Pursuant to AB 361 and Government Code section 54953

In response to the COVID-19 Pandemic, Governor Newsom signed AB 361 into law, permitting public agencies to continue conducting meetings remotely in the following circumstances:

- A. There is a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
- B. There is a proclaimed state of emergency, and the local agency's meeting is for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- C. There is a proclaimed state of emergency, and the local agency has determined, by majority vote, that as a result of the emergency meeting in person would present an imminent risk to the health or safety of attendees.

The Board of Education will consider adopting Resolution #21-16, to make a finding that the current circumstances meet the requirements of AB 361 and Government Code section 54953 for the Board of Education to conduct meetings remotely.

Presenter(s): Rose Filicetti, President, Board of Education

Motion &
Roll Call Vote: Rose Filicetti (President)

7. SCHEDULE OF MEETINGS AND UPCOMING EVENTS

Santa Cruz County Office of Education: Supporting LGBTQ Students & Parents
Equity Event
October 4, 2021
4:00 p.m.

Santa Cruz County Board of Education
Regular Meeting
October 21, 2021
4:00 p.m.

8. ADJOURNMENT

The Board President will adjourn the meeting.

PLEASE NOTE:

Public Participation:

All persons are encouraged to attend and, when appropriate, to participate in meetings of the Santa Cruz County Board of Education. If you wish to speak to an item on the agenda, please be present at the beginning of the meeting as any item, upon motion, may be moved to the beginning of the agenda. Persons wishing to address the Board are asked to state their name for the record. The president of the Board will establish a time limit of two (2) minutes, unless otherwise stated by the president, for comments from the public. Consideration of all matters is conducted in open session except those relating to litigation, personnel and employee negotiations, which, by law, may be considered in closed session. Expulsion appeal hearings are heard in closed session unless a request for hearing in open session is made by the appellant.

Backup Documentation:

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the County Office of Education, located 400 Encinal Street, Santa Cruz, CA 95060, during normal business hours.

Translation Requests:

Spanish language translation is available on an as-needed basis. Please make advance arrangements with Verenise Valentin by telephone at (831) 466-5900 Traducciones del inglés al español y del español al inglés están disponibles en las sesiones de la mesa directiva. Por favor haga arreglos por anticipado con Verenise Valentin por teléfono al número (831) 466-5900.

ADA Compliance:

In compliance with Government Code section 54954.2 (a), The Santa Cruz County Office of Education will, on request, make this agenda available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability-related modification or accommodation in order to participate in the meeting should contact Verenise Valentin, Administrative Aide to the Superintendent, 400 Encinal St., Santa Cruz, CA 95060, (831) 466-5900.



SANTA CRUZ COUNTY BOARD OF EDUCATION

AGENDA ITEM

Board Meeting Date: September 30, 2021

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Action

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Information

TO: County Board of Education

FROM: Sandra Nichols, Chair, Community Outreach and Legislation Committee

SUBJECT: Adoption of Resolution #21-15 Declaring Bonny Doon to be a Grossly Inappropriate Setting for the Release of a Sexually Violent Predator

BACKGROUND

The State of California is proposing the supervised release of a legally designated “sexually violent predator” to reside in Bonny Doon, California. The placement of this individual in Bonny Doon would reasonably impose a chronic fear for safety in its residents because adequate monitoring may not be possible. The proposed residential placement of this particular individual in Bonny Doon would raise legitimate physical and psychological safety concerns for its residents.

FUNDING IMPLICATIONS

None.

RECOMMENDATION

Adopt Resolution #21-15.



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RESOLUTION #21-15
RESOLUTION DECLARING BONNY DOON TO BE A GROSSLY INAPPROPRIATE
SETTING FOR THE RELEASE OF A SEXUALLY VIOLENT PREDATOR

WHEREAS, the State of California is proposing the supervised release of a legally designated “sexually violent predator” to reside in Bonny Doon, California; and

WHEREAS, this individual was convicted of the 1980 violent abduction and sexual assault of a Santa Cruz woman he met at Seabright Beach, among other serious crimes including rape of a minor; and

WHEREAS, this individual has no other known connections to Santa Cruz County or the Bonny Doon community; and

WHEREAS, the Santa Cruz County Sheriff and Santa Cruz County District Attorney have stated they oppose this individual’s placement in Bonny Doon; and

WHEREAS, California’s Sexually Violent Predator Act designates sexually violent predators as too dangerous to be released freely into general society given their risk of reoffending, thereby requiring heavy surveillance, continuous electronic monitoring, mandated distancing from reasonable opportunities to commit additional violent sexual crime, and residential placement that does not present an undue hazard to the public; and

WHEREAS, Bonny Doon is a remote, heavily wooded, rural residential area where houses are disbursed, often obscured from one another by forest, and residents travel trails that pass through neighbors’ backyards; and

WHEREAS, it is not clear how the intensive supervision, continuous electronic monitoring and surveillance statutorily required for a violent sex predator would be possible in Bonny Doon due to a widespread lack of cell service, limited internet access, regular multi-day power outages that cut telecommunications; and

WHEREAS, Bonny Doon’s remote location could make it difficult for this individual to access the supervision and treatment stipulated under the violent sex predator rehabilitation program; and

WHEREAS, lack of cell service and frequent telecommunications outages can make calling for emergency help in Bonny Doon difficult and at times impossible; and

WHEREAS, the placement of this individual in Bonny Doon would reasonably impose a chronic fear for safety in its residents because adequate monitoring may not be possible, particularly when the power is out; and

WHEREAS, the residence in question is less than $\frac{1}{4}$ mile from an elementary school bus stop; and

WHEREAS, that reasonable fear could prevent vulnerable residents, especially women and children, from travelling their neighborhood streets and trails on foot and cause others considerable anxiety while doing so; and

WHEREAS, one year ago the Bonny Doon community was ravaged by the loss of nearly a third of its homes in the CZU fire, among the worst natural disasters in Santa Cruz County history; and

WHEREAS, Bonny Doon residents continue to feel acute trauma from the CZU fire; and

NOW, THEREFORE, BE IT RESOLVED that the proposed residential placement of this particular individual in Bonny Doon would raise legitimate physical and psychological safety concerns for its residents; and

BE IT FURTHER RESOLVED that Bonny Doon is a grossly inappropriate community for the placement of a sexually violent predator.

PASSED AND ADOPTED by the Santa Cruz County Board of Education, County of Santa Cruz, State of California, this 30th day of September 2021, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Rose Filicetti, Board President
Santa Cruz County Board of Education

Dr. Faris M. Sabbah, Secretary



SANTA CRUZ COUNTY BOARD OF EDUCATION

AGENDA ITEM

Board Meeting Date: September 30, 2021

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Action

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Information

TO: County Board of Education

FROM: Rose Filicetti, President, Board of Education

SUBJECT: Discussion and Possible Approval of Resolution #21-16 Authorizing Use of Remote Teleconferencing Provisions Pursuant to AB 361 and Government Code section 54953

BACKGROUND

In response to the COVID-19 Pandemic, Governor Newsom signed AB 361 into law, permitting public agencies to continue conducting meetings remotely in the following circumstances:

- A. There is a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
- B. There is a proclaimed state of emergency, and the local agency's meeting is for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- C. There is a proclaimed state of emergency, and the local agency has determined, by majority vote, that as a result of the emergency meeting in person would present an imminent risk to the health or safety of attendees.

FUNDING IMPLICATIONS

None.

RECOMMENDATION

Adopt Resolution #21-16.



RESOLUTION #21-16
RESOLUTION AUTHORIZING USE OF REMOTE
TELECONFERENCING PROVISIONS (AB 361)

WHEREAS, the Santa Cruz County Board of Education (“Board of Education”) is committed to open and transparent government, and full compliance with the Ralph M. Brown Act (“Brown Act”); and

WHEREAS, the Brown Act generally requires that a public agency take certain actions in order to use teleconferencing to attend a public meeting virtually; and

WHEREAS, the Board of Education recognizes that a local emergency persists due to the worldwide COVID-19 pandemic; and

WHEREAS, the California Legislature has recognized the ongoing state of emergency due to the COVID-19 pandemic and has responded by creating an additional means for public meetings to be held via teleconference (inclusive of internet-based virtual meetings); and

WHEREAS, on September 16, 2021, the California legislature passed Assembly Bill (“AB”) 361, which amends Government Code section 54953 and permits a local agency to use teleconferencing to conduct its meetings in any of the following circumstances:

- (A) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing;
- (B) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- (C) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, in order for the Board of Education to use teleconferencing as allowed by AB 361 after October 1, 2021, it must first adopt findings in a resolution, allowing the Board of Education to conduct teleconference meetings for a period of thirty (30) days; and

WHEREAS, Governor Gavin Newsom declared a state of emergency for the State of California due to the COVID-19 pandemic in his order entitled “Proclamation of a State of Emergency,” signed March 4, 2020; and

WHEREAS, the Board of Education hereby finds that the state and local emergencies have caused and will continue to cause imminent risks to the health or safety of attendees; and

WHEREAS, the Board of Education is conducting its meetings through the use of telephonic and internet-based services so that members of the public may observe and participate in meetings and offer public comment;

NOW THEREFORE BE IT RESOLVED, that the recitals set forth above are true and correct and fully incorporated into this Resolution by reference;

BE IT FURTHER RESOLVED, that the Board of Education has determined that given the state of emergency, holding in-person meetings would present imminent risks to the health or safety of attendees.

BE IT FURTHER RESOLVED, that the actions taken by the Board of Education through this resolution apply to any and all District committees which are otherwise governed by the Brown Act;

BE IT FURTHER RESOLVED, the Board of Education authorizes the County Superintendent of Schools to take all actions necessary to conduct Board of Education meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act, using teleconferencing for a period of thirty (30) days from the adoption of this Resolution after which the Board of Education will reconsider the circumstances of the state of emergency.

PASSED AND ADOPTED by the Santa Cruz County Board of Education, County of Santa Cruz, State of California, this 30th day of September 2021, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Rose Filicetti, Board President
Santa Cruz County Board of Education

Dr. Faris M. Sabbah, Secretary
Santa Cruz County Superintendent of Schools