



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 12.1e

Meeting Date: May 20, 2021

Subject: Approve Minutes of the April 22, 2021, Board of Education Meeting

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Superintendent's Office

Recommendation: Approve Minutes of the April 22, 2021, Board of Education Meeting.

Background/Rationale: None

Financial Considerations: None

LCAP Goal(s): Family and Community Empowerment

Documents Attached:

1. Minutes of the April 22, 2021, Board of Education Regular Meeting

<p>Estimated Time of Presentation: N/A Submitted by: Jorge A. Aguilar, Superintendent Approved by: N/A</p>



Putting
Children
First

BOARD OF EDUCATION MEETING AND WORKSHOP

Board of Education Members

Christina Pritchett, President (Trustee Area 3)
Lisa Murawski, Vice President (Trustee Area 1)
Darrel Woo, Second Vice President (Trustee Area 6)
Leticia Garcia (Trustee Area 2)
Jamee Villa (Trustee Area 4)
Chinua Rhodes (Trustee Area 5)
Lavinia Grace Phillips (Trustee Area 7)
Isa Sheikh, Student Member

Thursday, April 22, 2021

4:30 p.m. Closed Session

6:00 p.m. Open Session

Serna Center

Community Conference Rooms
5735 47th Avenue
Sacramento, CA 95824
(See Notice to the Public Below)

MINUTES

2020/21-33

1.0 OPEN SESSION / CALL TO ORDER / ROLL CALL

NOTICE OF PUBLIC ATTENDANCE BY LIVESTREAM

Members of the public who wish to attend the meeting may do so by livestream at: <https://www.scusd.edu/post/watch-meeting-live>. No physical location of the meeting will be provided to the public.

The meeting was called to order at 4:36 p.m. by President Pritchett, and roll was taken.

Members Present:

President Christina Pritchett
Vice President Lisa Murawski
Second Vice President Darrel Woo
Leticia Garcia
Lavinia Grace Phillips
Chinua Rhodes

Members Absent:

Jamee Villa
Student Member Isa Sheikh arrived at 6:00 p.m. for Open Session.

2.0 ANNOUNCEMENT AND PUBLIC COMMENT REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION

NOTICE OF PUBLIC COMMENT AND DEADLINE FOR SUBMISSION:

Public comment may be (1) emailed to publiccomment@scusd.edu; (2) submitted in writing, identifying the matter number and the name of the public member at the URL <https://tinyurl.com/SCUSDcommentApril22>; or (3) using the same URL, submitting a request for oral comment only when the matter is called, instead of written comment. Regardless of the method by which public comment is submitted, including a request for oral comment, the submission deadline for closed and open session items shall be no later than noon, April 22. Individual public comment shall be presented to the Board orally for no more than two minutes, or other time determined by the Board on each agenda item. Public comments submitted in writing will not be read aloud, but will be provided to the Board in advance of the meeting and posted on the District's website. The Board shall limit the total time for public comment presented on each agenda item, including communications and organizational reports, to 15 minutes in length. With Board consent, the President may increase or decrease the length of time allowed for public comment, depending on the agenda item and the number of public comments.

*Public Comment on Closed Session:
Mohammad Kashmiri
Courtney Smith*

3.0 CLOSED SESSION

While the Brown Act creates broad public access rights to the meetings of the Board of Education, it also recognizes the legitimate need to conduct some of its meetings outside of the public eye. Closed session meetings are specifically defined and limited in scope. They primarily involve personnel issues, pending litigation, labor negotiations, and real property matters.

- 3.1 *Government Code 54956.9 - Conference with Legal Counsel:
 - a) *Existing litigation pursuant to subdivision (d)(1) of Government Code section 54956.9 (San Joaquin County Superior Court Case No. STK-CV-UBC-2019-0007274, OAH Case No. 2021030253 and OAH Case No. 2021010161)*
 - b) *Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code section 54956.9 (Two Potential Cases)**
- 3.2 *Government Code 54957.6 (a) and (b) Negotiations/Collective Bargaining SCTA SEIU, TCS, Teamsters, UPE, Non-Represented/Confidential Management (District Representative Pam Manwiller)*
- 3.3 *Government Code 54957 – Public Employee Discipline/Dismissal/Release/Reassignment*

4.0 CALL BACK TO ORDER/PLEDGE OF ALLEGIANCE

- 4.1 *The Pledge of Allegiance*
- 4.2 *Broadcast Statement*
- 4.3 *Stellar Student – Jeremy Webster-Hawkins, a Sophomore at the School of Engineering and Sciences, was introduced by Second Vice President Woo.*

5.0 ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Counsel Anne Collins announced that OAH Case No. 2021030253 and OAH Case No. 2021010161 were both approved 6-0 with Member Villa absent.

6.0 AGENDA ADOPTION

President Pritchett asked for a motion to adopt the agenda. A motion was made to approve by Student Member Sheikh and seconded by Second Vice President Woo. The Board voted unanimously to adopt the agenda 6-0, with Member Villa absent.

7.0 PUBLIC COMMENT

15 minutes

Public comment may be (1) emailed to publiccomment@scusd.edu; (2) submitted in writing, identifying the matter number and the name of the public member at the URL <https://tinyurl.com/SCUSDcommentApril22>; or (3) using the same URL, submitting a request for oral comment only when the matter is called, instead of written comment. Regardless of the method by which public comment is submitted, including a request for oral comment, the submission deadline shall be no later than noon, April 22 for any agenda item. Individual public comment shall be presented to the Board orally for no more than two minutes or other time determined by the Board, on each agenda item. Public comments submitted in writing will not be read aloud, but will be provided to the Board in advance of the meeting and posted on the District’s website. The Board shall limit the total time for public comment presented on each agenda item, including communications and organizational reports, to 15 minutes in length. With Board consent, the President may increase or decrease the length of time allowed for public comment, depending on the agenda item and the number of public comments.

Public Comment:

- Anna Molander*
- Nikki Milevsky*
- Angie Sutherland*
- Gwynnae Byrd*
- Alison Alexander*
- Alison French-Tubo*
- Scott Graves*
- Catherine Horiuchi*
- Maria Mar*
- Rich Vasquez*
- Renee Webster-Hawkins*
- Sarah Williams Kingsley*
- Brett Barley*
- Amanda Connolly*
- Arlene Wright*
- Javier Ducos*

8.0 SPECIAL PRESENTATION

8.1 Approve Resolutions:

Action

- *School Library Month*

- *National School Bus Driver Day*
- *National Assistant Principals Week*

Human Resources Director Tiffany Smith-Simmons presented. She shared many photos and a video of words of gratitude for these three groups.

*Public Comment:
None*

Board Comments:

Second Vice President Woo moved to approve the resolutions, and Vice President Murawski seconded. The motion passed 6-0 with Member Villa absent.

8.2 Independent Audit Report for the Fiscal Year Ended June 30, 2020, Submitted by Crowe LLP (Rose Ramos) **Information**

Chief Business Officer Rose Ramos introduced Jeff Jensen of Crowe LLP. Mr. Jensen gave a background on Crowe LLP and their team, and then presented on the auditor's responsibilities, planned scope and audit timelines, new accounting standards, corrected and uncorrected misstatements, other required communications, the audit results, and audit findings and recommendations.

*Public Comment:
David Fisher*

Board Comments:

Vice President Murawski asked if the Board should have an update in three months. Accounting Director Jesse Castillo and Internal Auditor Karen Wiker spoke on what has been done so far to address audit findings.

Member Garcia asked about the projected enrollment difference between 2020-21 and 2021-22, while noting that the ADA is the same number. Ms. Ramos said she would get back to Member Garcia on this.

President Pritchett said, in response to the SCTA comment of who voted to approve staff's recommendation to submit as a negative rather than as a qualified certification, that she voted to approve, and that she still stands by her vote. She noted that the District has received a notice from the Sacramento County Office of Education changing the submitted status of a qualified certification to negative.

8.3 Approve Resolution No. 3196: Committing to Returning Students to In-Person Instruction by the First Day of School Year 2021-22 and Mitigating Learning Loss (Isa Sheikh) **Action**

Student Member Sheikh presented. He gave the opening remarks and said that the purpose of the resolution is to assure students and families that the Board recognizes the need to come back to five day instruction in the Fall and that the District will do everything possible to make that happen. He noted that distance learning has never been a replacement for full, in-person instruction. He also went through and read from parts of the resolution.

During the presentation the Board stopped the meeting for 15 minutes so that technical difficulties on the livestream could be addressed. The Board reconvened into Closed Session during this time. Upon returning to Open Session, Counsel Anne Collins reported that there were no announcements out of Closed Session.

Public Comment:

Alasdair Dawson

Angie Sutherland

David Fisher

Gwynne Spann

Ingrid Hutchins

Jessie Gouck

John Meyers

Karen Rice

Sarah Williams Kingsley

Lisa Riley

Melissa Arceneaux

Amanda Connolly

Board Comments:

Member Garcia thanked Student Member Sheikh for bringing forward this resolution to let the community know that the District is committed returning in-person instruction in the Fall. She asked to add language to the resolution.

Vice President Murawski also thanked Student Member Sheikh. She said it is fully her expectation that school will resume full-time in the Fall. She also proposed adding language.

President Pritchett read a message from Member Villa which expressed her support for returning back to school full-time in the Fall. President Pritchett thanked Student Member Sheikh, and she said she is also in support of returning to full-time instruction in the Fall.

Student Member Sheikh said that we should be having full-time instruction now. He spoke about the proposed additions and asked if the virtual learning model is relevant to this resolution. Member Garcia said she feels it is because, if it is not included as an option, parents that need it will go somewhere else. Superintendent Aguilar suggested working on language that allows a continuation of study on this point and which could be brought back to the Board. Member Garcia said that would be acceptable. Member Sheikh thanked Member Garcia and Vice President Murawski for their amendments. Counsel Anne Collins restated the additions.

Member Phillips said she wants to make sure in reading this that we keep aware of black and brown students, as well as disabled students. She noted that pre-pandemic is not where we want to be in terms of excellence. She said she has no changes, but wants us to be more cognizant, i.e., that it seems the more disadvantaged students are missing.

Member Garcia noted that the goal of recognizing those students in AB 86 is to fill that hole.

Student Member Sheikh motioned to approve the resolution as revised. Second Vice President Woo seconded and the motion passed 6-0, with Member Villa absent.

8.4 Update on Re-Opening MOU's and Next Steps (Raoul Bozio)

Information

In-House Counsel Raoul Bozio went over attempts to meet and confer with SCTA regarding three feet guidance, communications, and current data regarding class grouping.

Public Comment:

Allyson Jones

Angie Sutherland

Ingrid Hutchins

Jane Doe

Kimberly Buchholz

Nikki Milevsky

Sarah Williams Kingsley

Board Comments:

Second Vice President Woo asked, in moving from three feet to six feet, what does it mean to meet and confer? He asked if it means they meet until they reach an agreement, or does it mean that they meet and may disagree, but the District moves forward. Mr. Bozio agreed that there is a technical meaning to that term, often as less than a full negotiational agreement. He said he would leave it at that and not offer any legal opinion, per se.

Vice President Murawski thanked staff for keeping this moving, and she feels we need to talk about timelines. She asked if there is anything preventing students from coming back four or five days a week. Superintendent Aguilar said that attendance at this point through the sixth grade would allow us to collapse the A and B groups and still maintain the six foot standard of distancing. He said many educators have asked if they could voluntarily collapse their groups, therefore that has been offered as another topic of discussion as a waiver. For three foot distancing, this is a conversation that has also been requested to be had with the labor partners. Vice President Murawski asked that we stay on top of both of these topics.

Member Phillips asked to clarify that it is six feet for high school and three feet for elementary. Mr. Bozio replied that it is three feet between students, six feet between adults and six feet between adults and students. He said he will have to check if there is a difference between high school and elementary school. He believes it is three feet between students in K-12.

Vice President Murawski said she believes the CDC guideline is six feet between high school students but only when there is a high transmission rate.

Student Member Sheikh said he wonders if this is a game where there has to be a winner and loser. He feels the language is crystal clear, and that we know quite a bit about COVID, and much about how it works in schools, so he is not sure what we are doing here. He asked if we are doing the best for students.

Superintendent Aguilar asked Director of Health and Student Services Victoria Flores to address Member Phillip's earlier question. Ms. Flores said that Vice President Murawski was correct, the guidance is three feet in grades K-12, except in middle school and high school where transmission is high and cohorting is not possible.

Member Phillips said it feels like we are sometimes not being clear. She noted that she is not in opposition to the District, but asks questions for clarity for the community.

Member Garcia noted that the school instruction her children are now getting is exponentially more important. She said she is sad and frustrated that we cannot bring more instruction to more students. She asked when we will come to a close on this conversation, as there are 39 days left in this school year. Superintendent Aguilar said we should have an answer based on the response provided by our labor partner. He noted that the data provided to the board, labor partner, and community shows the disproportionate impact that the lost instructional minutes have. Those sites that have the fewest number of students are those schools that serve the most vulnerable students. He said his recollection from the motion made was that Member Garcia asked for updates on this matter until a decision was made, and therefore this would come back to the next meeting.

President Pritchett noted from the presentation that four schools would be able to collapse all from the cohorts into a single classroom. She said she has spoken to many parents that said they could not send their children to school for just a few hours because they have a job and cannot go back and forth; they are waiting for the District to have school as a full day and week. She said she is looking forward to the discussions between SCTA and the District working together to get students back into the classroom.

8.5 Federal and State COVID Relief Funds (Rose Ramos)

Information

Chief Information Officer Rose Ramos, Chief Academic Officer Christine Baeta, Risk and Disability Coordinator Keyshun Marshall, Chief Continuous Improvement and Accountability Officer Vincent Harris, Chief Communications Officer Tara Gallegos, Chief Information Officer Bob Lyons, Accounting Director Jesse Castillo, Director of Nutrition Diana Flores, Assistant Superintendent of Facilities Leigh Sato and Facilities

Director Nathaniel Browning presented. They discussed funding sources and expenditures to date, proposed investment principles, an expiration timeline and allocation, a proposed spending plan, and AB 86 re-opening grants.

Public Comment:

*Renee Webster Hawkins
Ingrid Hutchins
Sarah Williams Kingsley
David Fisher*

Board Comments:

Vice President Murawski suggested tabling most of the discussion on this item until it can be addressed later and for Board members to email their questions to the Superintendent. Superintendent Aguilar said he agrees that this was a lengthy presentation that needs to be further unpacked by Board members. He noted the public comments along with those of other community organizations and said there are many good ideas out there. He feels it is critical to engage with the community. He committed to providing as many documents as possible to the Board for review before a discussion is had. Vice President Murawski asked what priorities would be helpful for the Board members to provide. Superintendent Aguilar said anything, but specifically that the Board is owed statements around principles for these one-time funds, and if they have any thoughts about the kind of statements they think are in alignment with the board policy, that they pass along this information; that would be welcome as these principles are still in the process of being created.

Member Garcia asked for clarity in terms of the District office and the community on where this is going on a continued basis and within what timeframe. Superintendent Aguilar answered that these are the initial buckets that they want the Board to be thinking about, further studying is being done, and if there are additional buckets that have not been included, that feedback is welcomed.

Member Rhodes recalled that Superintendent Aguilar said earlier that this would not be a deep dive, but that this would be brought back for a more robust conversation when he has more information.

President Pritchett asked for a motion to extend the meeting to midnight. Student Member Sheikh motioned, and Member Phillips seconded. The motion passed unanimously.

*8.6 Special Education Assessments and CDE Determinations
Update (Raoul Bozio and Dr. Sadie Hedegard)*

Information

Chief Academic Officer Christine Baeta, Special Education Assistant Superintendent of Innovation and Learning Dr. Sadie Hedegard, and In-House Legal Counsel Raoul Bozio presented. They covered federal and state special education timelines, a District assessment update, CDE corrective actions, and next steps.

Public Comment:

Angie Sutherland
Renee Webster Hawkins
Sarah Williams Kingsley
Lauren Lystrup
Monica Harvey
Mona Tawatao
Atasi Uppal
Nikki Milevsky

Board Comments:

Member Rhodes said he feels it is obvious that the District has to do better. He felt the presentation was very clear, and that we cannot continue to be in this situation.

President Pritchett asked what it would take to get through the number of backlogged assessments at this point and can we make the deadline. Dr. Hedegard answered that they are using 15 hours as an average time that it would normally take a school psychologist to complete a psycho-educational evaluation. She said the tricky part is that the special education assessment process is intended to be individualized, as it is intended to be based on the individual needs of a student. Therefore, not the same standardized assessments are completed for every child. If indicated, some students will require additional assessment. So they are using 15 hours as an average amount of time. Based on the number of staff, she said they are looking at 700 that will still need to be completed if the contract hours and the additional ten hours that are available are taken advantage of by all school psychologists; if we have the ability to contract out, it will be impacted by the number of contractors that we can access. She noted that we are competing with all neighboring districts that are experiences similar challenges as well. President Pritchett clarified that if we did not contract out, we would not be able to meet the deadline. Dr. Hedegard said that is correct. President Pritchett asked if, regarding phase four of these cases, the meeting has been requested with SCTA and if we would have to negotiate to be able to contract out. Mr. Bozio replied that we have requested a meeting to talk about the extra time for staff in the summer. The contracting out potential is something that is always discussed with the labor partner.

Second Vice President Woo asked if it is possible to initiate the contracting out process and hold it in abeyance until it is needed. Mr. Bozio said they would want to explore that with the providers. Dr. Hedegard said they were outlining and making arrangements to make sure they could move forward when possible.

President Pritchett said she agrees with Member Rhodes in that we need to do better.

Vice President Murawski asked what is the Board's authority under labor law to contract out. Mr. Bozio said that is a complicated issue and that he did not want to offer up a legal opinion during an open session. Superintendent Aguilar said there are potential ramifications under labor law to contracting out. Vice President Murawski said it does not look like we can meet the backlog without contracting out. Dr. Hedegard said that is her understanding. Vice President Murawski said it is a moral issue at this point. She asked that the weekly update be posted publicly and that staff makes sure the CAC gets their questions answered about this. Mr. Bozio mentioned efforts toward creating a

dashboard to illustrate progress. Vice President Murawski said she is sad that we are in this situation, that there was a lot of talk about assessments over a period months while not doing them.

Member Garcia said we are in a hole that keeps getting deeper. She asked for a date certain when the Board will take action on this moving forward. Superintendent Aguilar said that will be no later than the next Board meeting.

President Pritchett asked if we know what will happen if the CDE withholds payments from the District. Mr. Bozio said that in speaking with staff he is confident that we will meet their number of 200 by the mid-May deadline given. President Pritchett noted that we would also receive loss of federal funds by not meeting the deadline.

9.0 COMMUNICATIONS

9.1 Employee Organization Reports:

Information

- SCTA – No report given

10.0 PUBLIC HEARING

10.1 Public Hearing: Approve Revised Board Policy 3315, Relations with Vendors (Raoul Bozio)

Action

In House Counsel Raoul Bozio went over the revision of BP 3315, Relations with Vendors.

*Public Comment:
David Fisher*

Board Comments:

A motion was made to approve by Member Phillips, and Member Garcia seconded it. The item was approved unanimously with Member Villa absent.

11.0 CONSENT AGENDA

**Action
(Roll Call Vote)**

Generally routine items are approved by one motion without discussion. The Superintendent or a Board member may request an item be pulled from the consent agenda and voted upon separately.

11.1 Items Subject or Not Subject to Closed Session:

- 11.1a *Approve Grants, Entitlements and Other Income Agreements, Ratification of Other Agreements, Approval of Bid Awards, Approval of Declared Surplus Materials and Equipment, Change Notices and Notices of Completion (Rose F. Ramos)*
- 11.1b *Approve Personnel Transactions (Cancy McArn)*
- 11.1c *Approve Donations to the District for the Period of March 2021 (Rose Ramos)*
- 11.1d *Approve Business and Financial Report: Warrants, Checks, and Electronic Transfers Issued for the Period of March 2021 (Rose Ramos)*
- 11.1e *Approve Minutes of the March 18, 2021, Board of Education Meeting (Jorge A. Aguilar)*
- 11.1f *Approve Minutes of the March 25, 2021, Board of Education Special Meeting (Jorge A. Aguilar)*

President Pritchett asked for a motion to adopt the Consent Agenda. A motion was made to approve by Vice President Murawski and seconded by Second Vice President Woo. The Board voted unanimously to adopt the Consent Agenda with Member Villa absent.

12.0 BUSINESS AND FINANCIAL INFORMATION/REPORTS

Receive Information

- 12.1 *Business and Financial Information:*
 - *Purchase Order for the Period of February 15, 2021, through March 14, 2021 (Rose Ramos)*
- 12.2 *Head Start Reports (Christine Baeta and Jacquie Bonini)*

President Pritchett received the Business and Financial information/reports.

13.0 FUTURE BOARD MEETING DATES / LOCATIONS

- ✓ *May 6, 2021 4:30 p.m. Closed Session, 6:00 p.m. Open Session, Serna Center, 5735 47th Avenue, Community Room, Regular Workshop Meeting*
- ✓ *May 20, 2021 4:30 p.m. Closed Session, 6:00 p.m. Open Session, Serna Center, 5735 47th Avenue, Community Room, Regular Workshop Meeting*

14.0 ADJOURNMENT

The Board adjourned back to Closed Session at 11:17 p.m. and returned to Open Session at 11:30 p.m. President Pritchett then asked for a motion to adjourn the meeting; a motion was made by Member Rhodes and seconded by Student Member Sheikh. The motion was passed unanimously, and the meeting adjourned at 11:35 p.m.

Jorge A. Aguilar, Superintendent and Board Secretary

NOTE: The Sacramento City Unified School District encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, please contact the Board of Education Office at (916) 643-9314 at least 48 hours before the scheduled Board of Education meeting so that we may make every reasonable effort to accommodate you. [Government Code § 54953.2; Americans with Disabilities Act of 1990, § 202 (42 U.S.C. §12132)] Any public records distributed to the Board of Education less than 72 hours in advance of the meeting and relating to an open session item will be available on the District's website at www.scusd.edu