SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

Agenda Item# 11.1i

Meeting Date: October 17, 2019

Subject: Approve Minutes of the October 3, 2019, 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 October 3, 2019, Board of Education Meeting

Background/Rationale: None

Financial Considerations: None

LCAP Goal(s): Family and Community Empowerment

Documents Attached:
1. Minutes of the October 3, 2019, Board of Education Regular Meeting

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

Sacramento City Unified School District
BOARD OF EDUCATION
MEETING AND WORKSHOP

Board of Education Members
Jessie Ryan, President (Trustee Area 7)
Darrel Woo, Vice President (Trustee Area 6)
Michael Minnick, 2nd Vice President (Trustee Area 4)
Lisa Murawski (Trustee Area 1)
Leticia Garcia (Trustee Area 2)
Christina Pritchett (Trustee Area 3)
Mai Vang (Trustee Area 5)
Olivia Ang-Olson, Student Member

Thursday, October 3, 2019
4:30 p.m. Closed Session
6:00 p.m. Open Session

Serna Center
Community Conference Rooms
5735 47th Avenue
Sacramento, CA 95824

MINUTES

2019/20-7

1.0 OPEN SESSION / CALL TO ORDER / ROLL CALL

The meeting was called to order at 4:35 p.m. by Vice President Woo, and roll was taken.

Members Present:
Vice President Darrel Woo
Second Vice President Michael Minnick
Leticia Garcia
Lisa Murawski
Christina Pritchett

Members Absent:
President Jessie Ryan (arrived at 7:42 p.m.)
Mai Vang (arrived at 4:45 p.m.)
Student Member Olivia Ang-Olson (arrived at 6:00 p.m.)

A quorum was reached.

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

None

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 (Black Parallel School Board, et al. v. SCUSD, et al., Case No. 2:19-cv-01768-TLN-KJN and OAH Case No. 2019040251 and OAH Case No. 2019070618)

b) Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code section 54956.9 (One Potential Case)

c) Initiation of litigation pursuant to subdivision (d)(4) of Government Code section 54956.9 (One Potential Case)

3.2 Government Code 54957.6 (a) and (b) Negotiations/Collective Bargaining CSA, SCTA Government Code 54957.6 (a) and (b) Negotiations/Collective Bargaining SCTA, SEIU, TCS, Teamsters, UPE, Non-Represented/Confidential Management (District Representative Cancy McArn)

3.3 Government Code 54957 – Public Employee Discipline/Dismissal/Release/Reassignment

3.4 Government Code 54957 - Public Employee Performance Evaluation:

a) Superintendent

3.5 Education Code Sections 48916, 48912, 35146 – Student Readmission

a) Student(s) Scheduled for Readmission Following End of Expulsion Term

3.6 Government Code 54957 – Public Employee Appointment

a) Instructional Assistant Superintendent

4.0 CALL BACK TO ORDER/PLEDGE OF ALLEGIANCE

4.1 The Pledge of Allegiance

4.2 Broadcast Statement (Student Member Ang-Olson)

4.3 Stellar Student Recognition: Parker Van Ostrand, C.K. McClatchy High School

- *Presentation of Certificate by Member Murawski*

5.0 ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Counsel Jerry Behrens announced that by unanimous vote of 6-0 with President Ryan absent, the Board approved OAH Case No. 2019040251 and OAH Case No. 2019070618. The Board also voted 5-0, with President Ryan and Member Murawski absent, to approve readmission regarding expulsion numbers 1, 5, 6, 10, 11, and 14. Admissions were denied regarding expulsion numbers 3, 4, 7, 8, 9, 12, and 13.

6.0 AGENDA ADOPTION

Vice President Woo made a motion to amend the agenda to add a bid award for Floyd Farms to Item #12.1a. Member Pritchett seconded. The motion passed unanimously. Vice President Woo

then asked for a motion to approve the agenda. Member Pritchett made a motion to adopt in recognition of Ms. Cathy Allen, Chief Operations Officer. Ms. Allen was attending her last Board meeting as she was soon to be retired. Second Vice President Minnick seconded the motion and the Board voted unanimously to adopt the agenda. Ms. Allen was presented with a marble apple for her service.

7.0 SPECIAL PRESENTATION

7.1 Approve Resolution No. 3106: Recognition of October as National Principals Month (Cancy McArn)

Chief of Human Resources, Cancy McArn, presented the resolution along with Human Resources Directors Tiffany Smith-Simmons and Christina Villegas. Ms. McArn then invited Rich Owens of United Professional Educators, James Marshall Elementary School Principal Marla Van Laningham, and Parkway Elementary School Principal Doyal Martin to come forward and speak. Member Pritchett moved to approve the resolution and Vice President Minnick seconded. The resolution was unanimously passed.

Public Comment:
None

Board Member Comments:
None

7.2 Approve Resolution No. 3107: Recognition of National Hispanic Heritage Month, September 15 Through October 15, 2019 (Jorge Aguilar)

Member Garcia and Member Vang presented. Member Garcia read parts of the resolution and Member Vang then introduced Luther Burbank High School teacher Elizabeth Villanueva. A motion was made to approve the resolution by Member Vang and seconded by Second Vice President Minnick. The motion was unanimously approved, and Ms. Villanueva was presented with a copy of the resolution.

Public Comment:
None

Board Member Comments:
None

8.0 PUBLIC COMMENT

Members of the public may address the Board on non-agenda items that are within the subject matter jurisdiction of the Board. Please fill out a yellow card available at the entrance. Speakers may be called in the order that requests are received, or grouped by subject area. We ask that comments are limited to two (2) minutes with no more than 15 minutes per single topic so that as many people as possible may be heard. By law, the Board is allowed to take action only on items on the agenda. The Board may, at its discretion, refer a matter to district staff or calendar the issue for future discussion.

Public Comment:
Angel Garcia

Kenya Martinez
Maria Rodriguez
Cecile Nunley
Alma Lopez
Fanny Castellanas
Anthony Macias
Kenya Martinez

9.0 PUBLIC HEARINGS ***Public Hearing/ Action***

9.1 Public Hearing and Approval of 2019-20 Adopted Budget Revision (Rose Ramos)

The public hearing presentation was given by Chief Business Officer Rose Ramos and consultant Jacquie Canfield. They went over the purpose of the proposed revised adopted budget, the Sacramento County Office of Education's recognition of District progress, a summary of multi-year projections comparing the adopted budget to the proposed revised budget, the proposed changes, and multi-year projections with recommendations.

Public Comment:
Angel Garcia
Cecile Nunley
Maria Rodriguez
Kenya Martinez

President Ryan closed the Public Hearing.

Board Member Comments:

Member Murawski thanked Ms. Ramos and welcomed her to the District. She asked what the District is doing about some of the recommendations. Ms. Ramos answered those she could do so quickly, and said she can go over the others in a different discussion during a committee meeting. Member Murawski said she would also like to talk about staffing ratios at a later date. They then discussed enrollment leveling and the funding for required increases, and other specific line item changes. Member Murawski asked why the reserve percentage is higher than the minimum in the recommendations. Ms. Ramos explained that in order to eliminate the deficit, a reduction in the amounts presented would have to happen. Member Murawski clarified that this means we are not going to run out of cash if we do not entirely make all cuts, but to eliminate the deficit and be on a trajectory in which revenues are balanced with expenditures is the goal of the recommended plan. Member Murawski then asked questions about the on-going expenses and the salary restructure, the cost for substitutes, stipends, and per session rates. Ms. Canfield explained that the reason for the increases in the rates is due to the collective bargaining agreement and that the work to change the salary schedules and determine the other affected percentages was done over the summer.

Member Murawski then asked if additional classified positions were determined by formula based on enrollments; Ms. Canfield said this is correct. Ms. Murawski asked if there is an estimate of the savings associated with teacher lay-offs. Ms. Canfiedl replied. Member Murawski asked why some stipends were not included and requested that in future we have a system so that all is included when calculations are taking place. Ms. Canfield agreed. Member Murawski asked about the books and supplies line. Ms. Canfield explained that the sites will move some of this where needed within their operating budgets. Ms. Ramos gave further explanation and noted that these are one time dollars.

Member Pritchett noted that cost for AED defibrillator machines are in the budget and asked about AED defibrillator machines that are already in the District. Ms. Ramos stated that we are purchasing all new, but she does not have knowledge of existing machines. Victoria Flores, Director of Student Support and Health Services, answered that all machines have been refurbished and the software upgraded. However, due to change in the law, more machines must be placed. Member Pritchett then noted we do not have graduations on the football fields but at Memorial Auditorium, and this is because of insurance purposes resulting from installation of Astroturf. She asked if the time for the insurance requirement has passed so that we can have graduations on the football fields again. Cathy Allen stated that some are past the warranty period. Member Pritchett asked that this be looked into and also requested a summary be sent to all Board members regarding what is happening in the fiscal transparency and accountability committee.

Member Garcia asked why the original enrollment projection was so far under actual. Ms. Ramos said that the difference was pretty typical for most school districts, and that there is usually a decline around December; she further explained that the number reported to the state in April is the one on which funding is based. Member Garcia asked how the estimate can be improved in the future. Ms. Ramos gave further explanation and said trends and historical analysis is done to see if there is a pattern over time, along with other factors. Member Garcia asked if there is an analysis on how well the one stop staffing process is working compared to a more continuous two-way communication practice with the school sites. She also asked about one suggestion listed in next steps that referred to improving budget assumptions. Ms. Ramos explained that it means improving assumptions such as current estimate percentages. Member Garcia asked about contract savings, and Ms. Canfield explained. Member Garcia asked about a paralegal position. Ms. Canfield answered that it is a permanent position. Member Garcia asked, since there is still a structural deficit, what happens after the Board adopts this revised budget. Ms. Ramos said it is negative and so will be disapproved again.

President Ryan acknowledged Superintendent Gordon of the Sacramento County Office of Education (SCOE) and asked him to speak to this. He stated that the same process will happen as did last year once the Board

approves the revised budget. They will go back to the state and put the District in a negative status again; they will continue with the oversight as was done this year, as the circumstances really haven't changed. To avoid the District ending up in the same place as at the end of last year, next year they will continue the oversight. Superintendent Gordon further explained the process with the state and that there are two paths that can be taken, specifically that there is a budget committee that the state Department of Education would create or, if the District is willing to waive that process, the County can expedite that with the state and just continue with the oversight as was done last year. Member Garcia asked if this will be the next step after the County receives this District budget, which will be rejected again. Superintendent Gordon said that is correct. He also said that the reason is not because the District has not done well or made progress, it is that the history of the District is one of constant deficit spending, and unless that trend is turned around, this will potentially go on indefinitely. He said the District is on the path of turning that trend around, but not yet done. He also commended the Board and staff on the new hires of Chief Academic Officer and Chief Business Officer. Superintendent Aguilar then asked Superintendent Gordon to describe what to expect procedurally in terms of a first interim and then moving into the Spring as long as we are not able to achieve the kind of savings that would close the District's structural deficit. Superintendent Gordon said that depends and it is probably not appropriate to speculate on what has not yet happened, but the process is that there is a first interim on which the County gives a progress report and then there is a second interim with another progress report. Feedback is given along the way, but at those checkpoints the District receives an assessment in writing. And as staff pointed out, time is the enemy, and things need to move if the District is going to avoid ending up at the end of this fiscal year at the same place as at the end of the last fiscal year.

Member Vang asked about the state enrollment P1 and P2 reports. Ms. Ramos explained the deadlines and gave the significance of the reports. Member Vang asked if the District looks at the final P2 reports to see how well they have matched with our projections in the past. Ms. Ramos said she did not know, but she will look into that. She also noted that, as District enrollment has been declining, we have been historically funded on the prior year. Member Vang asked how projected enrollment is determined. Ms. Ramos stated that currently the District is transitioning to an outside company, Decision Insight, for enrollment projection, and she explained some different nuances that go into projecting enrollment. Member Vang asked about SCOE's suggested next step to document the District's one stop staffing process. Ms. Ramos said that speaks to transparency, that is, to make sure that everything is clear and that all parties that should be involved are and know what their role is in one stop staffing. Member Vang asked if the principals have a say in enrollment projections at the site level. Ms. Ramos said that it should be a two-way dialogue.

Superintendent Aguilar said that we are continuing to refine the one stop staffing process as we integrate the School Plan for Student Achievement (SPSA) process and what principals are putting forward as interventions that they believe, as investments, will result in better student outcomes. Superintendent Aguilar said that this is something that will be incorporated into the one stop process this year. He also spoke about refinements that may impact traditional timelines, such as with open enrollment.

President Ryan thanked the presenters for the information provided tonight and also for prior meetings with Board members to help understand changes seen from the submitted budget to what is presented tonight. She also appreciated the explanation of the use of one-time funds, as the Fiscal Crisis and Management Assistance Team (FCMAT) report found that one of the grave implications of bad past budgeting practice is that the District has historically used one-time funds to cover on-going expenses. President Ryan also stated that it would be helpful to the Board to know what a reasonable variance looks like. Ms. Ramos said that half to one percentage is a very reasonable variance, and there is a document in the budget packet called Standard and Criteria which contains measurements and percentage variances that give certain ranges within where a district should be. President Ryan also asked about the data point that projects a four percent increase in health care costs. Ms. Ramos said that percentage was arrived at by looking at past trends and also said that we receive information from our health carriers about this time. President Ryan is concerned that we would be debating whether or not we should have two months of salary in a reserve. She would like to later know what Ms. Ramos' future plan would be to guard against recession. President Ryan asked for a motion to adopt the budget revision. Member Pritchett made a motion to approve which Vice President Woo seconded. The motion passed unanimously.

10.0 COMMUNICATIONS

10.1 Employee Organization Reports: ***Information***

- *SCTA – David Fisher and Nikki Milevsky reported on behalf of SCTA*
- *SEIU – No report given*
- *TCS – No report given*
- *Teamsters – No report given*
- *UPE – Rich Owens reported on behalf of UPE*

10.2 District Parent Advisory Committees: ***Information***

- *Community Advisory Committee – No report given*

- *District English Learner Advisory Committee – No report given*
- *Local Control Accountability Plan/Parent Advisory Committee – Maria Rodriguez reported on behalf of LCAP/PAC*

10.3 Superintendent's Report (Jorge A. Aguilar) ***Information***

Superintendent Aguilar reported that he was not available to attend the press event that launched the regional transit program that allows our students to ride for free, but he heard it was a very well attended event. He and Second Vice President Minnick however were able to be part of an event at Earl Warren Elementary School in which Comcast donated over 200 laptops to the students there. He spoke about the power of collaborations with partners inside and outside of the District in meeting the needs of our students.

10.4 President's Report (Jessie Ryan) ***Information***

President Ryan spoke about bullying in the school sites and on the internet and noted that national bullying month is the month of October. And she is also troubled by seeing a politics of personal destruction being practiced and said that something different must be modeled.

10.5 Student Member Report (Olivia Ang-Olson) ***Information***

Student Member Ang-Olson spoke about healthy and unhealthy competition, and feels the District should discontinue class rank.

10.6 Information Sharing by Board Members ***Information***

Member Murawski reported that the Fiscal Transparency and Accountability meeting will be held on October 10th at 6:00 p.m. at the Serna Center. She also has concerns about the health issues associated with vaping.

Vice President Woo said that President Ryan's comments about bullying are one of the key factors in implicit bias. He asked that we remember this, and he stated that implicit bias training hopefully will be brought to the Board. He also reported that Martin Luther King K-8 School will provide fingerprinting on November 22, 2019. This is the day after Thanksgiving. The site will also be having their annual turkey trot. Vice President Woo will be attending.

Member Pritchett agreed that bullying has to stop in order to move the District forward. She thanked Rich Owens for his comments

about staying strong together. She said the Board is here to listen, and it is not about what is wanted but about what is right; she asked that all work together.

Member Garcia announced a community meeting on Wednesday, October 9th at Will C. Wood Middle School from 5:30 to 6:30 p.m. The purpose of the meeting is to outline the desired characteristics for the Director of School Safety position. She encouraged all parents, community members, and educators who are interested to attend the meeting to share thoughts on what they would like to see in the next Director of School Safety.

Superintendent Aguilar noted that this is the first agenda in many months in which nothing related to student achievement has been presented to the community. This was because a focus had to be on the budget for this meeting. However, he called out the importance of staying, beyond the budget crisis, focused on student achievement.

11.0 BOARD WORKSHOP/STRATEGIC PLAN AND OTHER INITIATIVES

11.1 Approve Resolution No. 3105: Resolution to Accept the Surrendered Charter of NorCal Trade and Tech Charter School (Jesse Ramos)

Conference/ Action

Vincent Harris, Chief Continuous and Accountability Officer, Jesse Ramos, Innovative Schools Director, and Ed Sklar, an attorney with Lozano Smith, presented. They went over the background of NorCal Trade and Tech Charter School, reasons for the notice of violation, risks to the District, and the resolution before the Board.

Public Comment:
None

Board Member Comments:
President Ryan noted that Board Member Vang and herself voted against the charter application for this school as they had grave concerns about the viability of the application as written. The vision was well articulated, but the application demonstrated a complete inability to guard the fiduciary responsibility of a healthy, functioning school site and to roll out a plan for student achievement that would meet the needs of students at the level that was being articulated. She has concerns about students that have attended the school and asked what will be done about questions they have about transferable credits and those that believe they have met graduation requirements. She asked what we will do to support these students.
Mr. Ramos said that we are committed to making sure that the students concerns are addressed. He said steps being taken now are to reach out to existing management of the charter school. Part of the resolution 3105 clearly articulates some of the requirements, including the management of

student files and transcripts, and transition of the school to another placement. He said we will also be monitoring how the charter school responds to their needs and that they will be another resource to see how we can come up with other solutions to help support them in the transition. President Ryan asked Director of Student Support and Health Services Victoria Flores about crisis intervention teams and requested that we provide this type of support.

Member Vang asked about the building at 24th and Florin Road. Ms. Cathy Allen responded that the charter did move in to two of the portables for office space and also occupied some of the modulars in the back, but they have completely moved out. Member Vang motioned to move the item from Conference to Action. President Ryan seconded.

Second Vice President Minnick welcomed Mr. Ramos and thanked him for answering questions he had earlier in the week. He is disappointed at how this turned out as he and other colleagues had high hopes, and he does not want this experience to taint if another opportunity with similar vision comes forward in the future.

Member Garcia asked what will happen to the site at 24th and Florin Road. Ms. Cathy Allen and Mr. Ed Sklar answered that it is a District property. Mr. Sklar said that in this situation usually there is a provision that if the school is revoked or not renewed or voluntarily closes (as in this situation), then the facility use agreement becomes null and void, and the property reverts back to the District's use. Member Garcia asked if the school closed on August 30th. Mr. Sklar said that per the charter school's board action, they designated it to close on August 30th, yes, and for the purposes of this school year they have not been operating at all. Member Garcia asked where the students went. Mr. Sklar said that none of the students are under compulsory education, and our understanding is that some of the students may have transferred to another high school offering similar services called Highland Community Charter School. Member Garcia asked how we can provide support to the families and students. Mr. Ramos said that in regard to the procedures, one of the requirements is that the charter school needs to provide the District with a list of the students that were at the school, including contact information. Member Garcia asked for clarification regarding liability to the District in terms of any outstanding debt. Mr. Sklar said that the law says that a chartering school district does not bear any of the liabilities, errors, or omissions of the charter school so long as the school district is providing all the appropriate oversight. Mr. Ramos is talking about providing oversight so that the charter school is fulfilling its obligations to close the school, and we are overseeing that to make sure that they actually are fulfilling their obligations. There should be no liability for the District.

President Ryan noted that Member Vang and herself have heard from students that have been disenfranchised by the school closure and seeking support.

Member Murawski welcomed Mr. Ramos and thanked him for the presentation. She acknowledged that there was charter school legislation signed by the governor and asked that we consider how the District wields that new authority. She asked if there is professional development or training available on how to design policies in light of the new legislation. Mr. Ramos said that he is seeking professional development and that he understands Mr. Sklar's office is going to be offering some training this month.

Vice President Woo admonished to keep track of the charter closely as they are no longer in the charter business. President Ryan added that the advisement is to be in lock step with NorCal Charter specifically, despite the fact that we are moving toward dissolution. Mr. Ramos said he appreciates the words of caution and said that care will be taken in the monitoring of their closure. He looks forward to meeting with the representatives of NorCal Charter and to clarify the process for closing the school. Mr. Harris noted that Mr. Ramos has made several attempts to reach out to them and that it has been difficult because there has been a disconnect from their staff, however the District staff will continue to act aggressively and urgently in this partnership.

President Ryan asked for a vote to the previous motion. The motion to move from Conference to Action was unanimously approved. Member Vang moved to approve the resolution, and Member Pritchett seconded. The motion passed unanimously.

12.0 CONSENT AGENDA

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.

12.1 <u>Items Subject or Not Subject to Closed Session</u>:

12.1a Approve Grants, Entitlements and Other Income Agreements, Ratification of Other Agreements, Approval of Bid Awards, Change Notices and Notices of Completion (Rose Ramos)

12.1b Approve Personnel Transactions – October 3, 2019 (Cancy McArn)

President Ryan asked for a motion to adopt the Consent Agenda. A motion was made to approve by Second Vice President Minnick and seconded by Member Garcia. The Board voted unanimously to adopt the agenda.

13.0 FUTURE BOARD MEETING DATES / LOCATIONS

- ✓ *October 17, 2019 4:30 p.m. Closed Session, 6:00 p.m. Open Session, Serna Center, 5735 47th Avenue, Community Room, Regular Workshop Meeting*
- ✓ *November 7, 2019, 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

President Ryan asked for a motion to adjourn the meeting; a motion was made by Member Murawski and seconded by Member Pritchett. The motion was passed unanimously, and the meeting adjourned at 9:45 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 are available for public inspection at 5735 47th Avenue at the Front Desk Counter and on the District's website at www.scusd.edu