



APPROVED

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

Agenda Item# 11.1f

Meeting Date: November 5, 2020

Subject: Approve Minutes of the October 15, 2020, 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 15, 2020, Board of Education Meeting.

Background/Rationale: None

Financial Considerations: None

LCAP Goal(s): Family and Community Empowerment

Documents Attached:

1. Minutes of the October 15, 2020, 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

Jessie Ryan, President (Trustee Area 7)
Christina Pritchett, Vice President (Trustee Area 3)
Michael Minnick, 2nd Vice President (Trustee Area 4)
Lisa Murawski (Trustee Area 1)
Leticia Garcia (Trustee Area 2)
Mai Vang (Trustee Area 5)
Darrel Woo (Trustee Area 6)
Isa Sheikh, Student Member

Thursday, October 15, 2020

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

2020/21-9

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 4:35 p.m. by Vice President Pritchett, and roll was taken.

Members Present:

Vice President Christina Pritchett
Second Vice President Michael Minnick
Leticia Garcia
Lisa Murawski
Mai Vang
Darrel Woo

Members Absent:

President Jessie Ryan (arrived at 4:40 p.m.)
Student Member Isa Sheikh (arrived at 6:00 p.m.)

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/SCUSDcommentOctober15> 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, the submission deadline for closed and open session items shall be no later than noon, October 15. Individual written public comment shall be no more than two minutes in length on each agenda or nonagenda item. The Board shall limit the total time for public comment on each agenda or nonagenda 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 topic and the number of written public comments.

Counsel Jerry Behrens read two submitted public comments from:
Amanda Connolly
Sarah Kingsley

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) Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code section 54956.9 (One Potential Case)
 - b) 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 TCS, SCTA 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
- 3.4 Education Code 35146 – The Board will hear staff recommendations on the following student expulsion re-entry:
 - a) Expulsion #16, 2016-17
- 3.5 Government Code 54957 – Public Employee Appointment
 - a) Assistant Superintendent, Special Education, Innovations, and Learning
- 3.6 Government Code 54956.8 – Conference with Real Property Negotiators:
Property: 2718 G Street, Sacramento, CA
Agency Negotiator: Superintendent or designee
Negotiating Parties: SCUSD and Mogavero/Bardis Homes
Under Negotiation: Price and Terms

4.0 CALL BACK TO ORDER/PLEDGE OF ALLEGIANCE

- 4.1 The Pledge of Allegiance

4.2 *Broadcast Statement*

4.3 *COVID CARES Recognition – President Ryan read the names of those receiving recognition.*

5.0 ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

6.0 AGENDA ADOPTION

President Ryan asked for a motion to adopt the agenda. A motion was made to approve by Member Woo and seconded by Vice President Pritchett. The Board voted unanimously to adopt the agenda.

7.0 SPECIAL PRESENTATION

7.1 *Resolution No. 3171: Recognition of Dyslexia Awareness (Roll Call Vote)
Month in October (President Jessie Ryan)*

President Ryan asked for a motion to amend the title of this Item to: Recognition of the Rights of Students with Disabilities to a Quality and Inclusive Education. A motion to do so was made by Second Vice President Pritchett and seconded by Member Woo. The motion passed unanimously. President Ryan presented the resolution to Renee Webster Hawkins and Sarah Williams Kinglsey.

*Public Comment:
Angie Sutherland
Angel Garcia
Sarah Williams Kingsley
Renee Webster Hawkins*

Board Comments:

Member Woo motioned to adopt the resolution, and Member Pritchett seconded. The motion passed unanimously.

8.0 PUBLIC COMMENT

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/SCUSDcommentOctober15> 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, the submission deadline shall be no later than noon, October 15 for any agenda item. Individual written public comment shall be no more than two minutes in length on each agenda or nonagenda item. The Board shall limit the total time for public comment on each agenda or nonagenda item to 15 minutes in length. With Board consent, the President may increase or decrease the length of time allowed for public comment. 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:
Teresa Hernandez
Shana Just
Rich Vasquez
Amanda Connolly
Junior Goris
Tara Thronson
Cassandra Jennings
Daniel Conway
Sarah Kingsley
David Fisher

9.0 PUBLIC HEARING AND APPROVAL

*9.1 Public Hearing and Approval of Resolution No. 3169:
Compliance with the Pupil Textbook and Instructional
Materials Incentive Program Act (Matt Turkie)*

**Action
(Roll Call Vote)**

Assistant Superintendent of Curriculum and Instruction Matt Turkie presented the public hearing by describing the Pupil Textbook and Instructional Materials Incentive Act, going over steps to ensure sufficiency, the resolution, and the sufficiency status of school sites.

Public Comment:
Elizabeth Villanueva
Tracy Fleming
Alison French-Tubo
Junior Goris
Leana Sanchez

Board Comments:

Superintendent Aguilar thanked staff who responded with short notice to provide this information, particularly those such as Technician Sierra Campbell from Library and Textbook Services, Instructional Assistant Superintendent Chad Sweitzer, Information Services Director Rhonda Rode, and Deputy Superintendent Lisa Allen, as well as countless other individuals and departments that had to adapt very quickly to make sure that students had access to curriculum.

Second Vice President Minnick moved to approve the Item, and Member Woo seconded. The Item passed unanimously.

10.0 BOARD WORKSHOP/STRATEGIC PLAN AND OTHER INITIATIVES

*10.1 Approve Capitol Heights Academy Material Revision
(Jesse Ramos and Vincent Harris)*

**Action
(Roll Call Vote)**

The Director of Innovative Schools, Jesse Ramos, presented. He went over the charter review team, overview of the charter school, the material revision process, requests for additional analysis, legal considerations, and next steps. Aspire Capitol Heights Academy Area Superintendent Anthony Solina and Principal Chris Orr also presented.

Public Comment:

*Josiah Greer
Jose Bodipo Memba
Kia Williams
Annie Stambaugh
StarrLight Murray
Imose Ogbeiwi
David Clanre
Lauren Loomis
Demeshia Coleman
Genesis Hernandez Gutierrez
Madison Hiebert
Lynette Hayden
Kayla Green
Claudia Cuevas Gonzalez
Valorie Stradling
Chris Orr
Tamarah Clark
Grachelle To
Moriah Ponder
Harpreet Chohan
Marina Diosdado-Corral
Viktorya George*

Board Comments:

Second Vice President Minnick said that he appreciated all the public comments on this Item. He is in agreement in that the school be in a better facility and is in support of getting things moving. He also appreciates how much detail Mr. Ramos presented. He noted that fiscal impact is a factor for the District in every decision, now more than ever. Therefore he asked about keeping the existing enrollment cap, as they will not meet the revised, higher number before they must come back before the Board for renewal anyway. This way there will be no fiscal impact to the District over the next three years. Principal Chris Orr said that does make sense. Second Vice President Minnick motioned to amend the Item to keep the enrollment cap as it is currently. Vice President Pritchett seconded.

Vice President Pritchett thanked Vice President Minnick for his comment, and she also thanked the presenters. She said she relates to the problem of going to a school where one does not feel pride within their school. She thanked Principal Orr and Area Superintendent Solina for serving our most vulnerable population in such a positive way. She asked that services mentioned, janitorial, security, and landscaping, be union employees. Principal Orr said that would be the case.

Member Garcia thanked Mr. Ramos and all those it took to analyze this petition. She felt it included a lot of very good information and that the analysis was solid. She asked for clarity in terms of what is left, so that it is understood on what is being voted. She noted that enrollment has been on the decline for several years and asked what plan is in place to get to their current enrollment projections. Principal Orr said that the enrollment in the Oak Park area has declined in general. Also, they have been a feeder school for other charters and therefore some families decide to start with a charter that already offers more grades, and the physical location itself is a deterrent to families. He said that this would be very different in a new area. Member Garcia noted that they have not meet their enrollment at any point in time, so this is something she will be having a question on in the future. She saw that FCMAT, in its report on September 15th, specifically cited Aspire as having issues with a deficit spending in each year starting with 2019-20 first interim, each year of the projection and a negative fund balance by 2021-22. Mr. Solina explained that each school is its own local education agency (LEA) and how the larger organization pools together to intra-school borrow. Capital Heights submits its individual budget to the District every year. Member Garcia said she thought it was specific to Capital Heights, per the report. Mr. Solina said the District ought to have all of this information as it is part of the annual oversight and part of the memorandum of understanding (MOU). Member Garcia asked Mr. Ramos to comment. Mr. Ramos said he will need to investigate, but that Mr. Solina is correct in that they submit their annual budgets. President Ryan asked, under the criterion for consideration, if he found an inability to demonstrate fiscal soundness. Mr. Ramos said that did not come up in the analysis. Member Garcia said she feels the petition for growth is premature, and she would like to get a read on what is now before the Board since there is a motion on the table. She asked if District staff communicates with the Sacramento County Office of Education (SCOE) when fiscal impact is present. Mr. Solina said he believes the County would not consider hearing or discussing this until the District Board moves to approve. They did approach Superintendent Gordon who stated that before he has something before him, he has nothing to analyze. Member Garcia said that the question she asked was if the Board were to approve

the material revision for growth and the County overturned it, how would that play out.

Mr. Harris responded that the District has been in contact with the County all along and provided briefing updates. Regarding the finances of the charter, he shared that it is being looked into now.

President Ryan stated that she is the Board member that represents the charter and has been to the site. She understands it is in physical disrepair and that it is a deterrent to community members for attending the school. She appreciates the strong community connections, connections to the California State University, Sacramento, and other institutions of higher learning. She noted that the charter is outperforming the vast majority of Oak Park schools. She added that, as a fiscal steward to the community, she was gravely concerned with the financial analysis around a 600 enrollment number, as she believes we are going to have to grapple with some very brutal cuts in the coming weeks and months in an effort to avoid state receivership. Therefore, while she very much believes in equity in facilities and access to excellent educational programs, she is not comfortable with losing potentially \$1.5 million dollars later. She believes the amended motion by Second Vice President Minnick to honor the original charter cap of 440 students and authorize the move is the right thing to do.

Member Murawski asked for clarification on the motion that is on the table. Counsel Jerry Behrens clarified that the motion is that the petition, or material revision, be approved on condition that the enrollment shall not exceed a maximum of 440 students and that the resolution before the Board be amended to read "be it further resolved that the petition is hereby approved on condition that the enrollment shall not exceed a maximum of 440 students". This would replace the current resolution language which states "be it further resolved that the petition is hereby approved". He deferred to Second Vice President Minnick who confirmed that this is what he motioned. Ed Sklar from Lozano Smith also clarified that there were three parts to this petition for material revision: the first part was the authorization to move the location to the new facility, the second part was to add operational grades 6 through 8, and the third part was to eventually allow enrollment to 600 students. With this motion, the first two parts of the amendment remain and what would be removed is the growth to 600 students. This, sounds like, could be discussed as a material revision when the petition is up for renewal. Member Murawski asked if Mr. Sklar is saying there is no fiscal impact or that a fiscal impact cannot be considered based on the current motion because the number of students is not increasing. Mr. Sklar replied that there does not seem to be any fiscal impact if the charter is remaining at 440 students. Member Murawski asked Mr. Solina if the move to a new location is financially supportable with a cap of 440 students. She also noted

that a future increase in enrollment would happen during years in which the District has financial concerns. Mr. Solina explained their costs and how enrollment would happen in regard to matriculation with the additional grade levels. She said she feels the Board needs to look at the big picture and asked Mr. Ramos if there is a staff recommendation on this item. Mr. Harris said staff practice has been to present charter renewal or revision facts as defined.

President Ryan reminded that we are not approving a new charter; this is a material revision, and with the amendment proposed by Second Vice President Minnick, we are asking to operate under the current enrollment cap. The question is really about the facility, and equity in the facilities, more than anything else. She noted that, for the charters that have already been authored, that there is a responsibility to make sure that the children attending are successful and that we are meeting their needs. We have seen that within this model.

Member Garcia asked for clarity on the motion. She is concerned that the additional grades may force some decision regarding enrollment when the charter comes up for renewal in two years. She asked Mr. Sklar to speak more on this nuance. Mr. Sklar said his understanding of the motion is that it would include adding grades 6, 7, and 8. Second Vice President Minnick confirmed this.

President Ryan asked for the vote. Student Member Sheikh's preferential vote was yes, and the amended motion passed 4 to 3 with Member Garcia, Member Murawski, and Member Vang all voting no.

- 10.2 *Community Advisory Committee for the Renaming of Kit Carson International Academy, Sutter Middle School, and Peter Burnett Elementary School (Nathaniel Browning)*
- a. Approve formation of Community Advisory Committee*
 - b. Approve individual and student Board member appointments*

**Action
(Roll Call Vote)**

Interim Director of Facilities Support Services Nathaniel Browning presented. He gave an overview on renaming schools in the District in light of Education Code and Board policy, initial schools selected, fiscal impact, and the process for potential names.

*Public Comment:
Junior Goris
Amanda Connolly*

Board Comments:

Vice President Pritchett asked if the committee meetings will be open to the public. Mr. Browning said that they can be.

Member Murawski asked for clarification on what the Board is being asked to approve. Mr. Browning answered that it is Board action that would create an ad hoc community advisory committee to rename Sutter Middle School, Peter Burnett Elementary School, and Kit Carson International Academy. What that action would do would be to create a committee to come together to work on developing recommendations that would then come back to the Board later this Spring so that the Board could decide if a name change is appropriate and what that name would be based on the recommendations. The second part of tonight's action would be gaining appointee names from each Board member. Member Murawski asked to clarify for the public that the funding for this will not come out of general operating funds. Mr. Browning said that he cannot clarify that at this time, but he can when a recommendation with more detail is brought forward. Member Murawski asked that this be taken as a request because the District is not in a position to support this with general operating funds. She asked, as she had in a prior meeting, that when this is brought back the committee document the reasons for the name change. She made a motion to approve this item. Vice President Pritchett seconded.

Member Garcia asked why the Long Beach resolution was presented. Mr. Browning answered that it was requested by a Board member at the September 3rd meeting to research and find a best practice board policy to bring forward and share. Member Garcia asked if the Board will receive some recommended changes to the District's policy. Mr. Browning said he would defer to the Superintendent and Board for that. Superintendent Aguilar said we should make sure we are assessing where we can make improvements during the process. Member Garcia said she would also appreciate information on funding. She also asked about mascots and where they fit into this conversation. Mr. Browning said that the previous presentation and today's were focused on these three sites, but there are other sites that potentially could be reviewed for their mascot names after this.

President Ryan said that we have heard tonight that there is a strong interest in ensuring that we can use bond dollars to make the changes. She asked for a timeline on a second phase for name changes.

The vote was taken, and the motion passed 6-1 with Member Woo away from the meeting. The Board members and Student Member Sheikh then gave their appointees. President Ryan verified that Superintendent Aguilar is reserving his appointments for a later date.

11.0 CONSENT AGENDA

(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 Mandatory Reporting to the Sacramento County Office of Education – Uniform Complaints Regarding the Williams Settlement Processed for the Period of July 2020 through September 2020 (Cancy McArn)*
- 11.1d *Approve Staff Recommendations for Expulsion Re-Entry of Expulsions #16, 2016-17, as Determined by the Board (Stephan Brown)*
- 11.1e *Approve Revision of Board Bylaw (BB) 9270: Conflict of Interest (Raoul Bozio)*
- 11.1f *Approve Resolution No. 3170: Resolution of Intention to Convey Public Right of Way Easement Entitlements to the City of Sacramento at John Cabrillo Elementary School (Nathaniel Browning)*
- 11.1g *Approve Request for Waiver of Budget Review Committee for Disapproved 2020-2021 Adopted Budget (Rose Ramos)*
- 11.1h *Approve Donations to the District for the Period of September 1 – 20, 2020 (Rose Ramos)*
- 11.1i *Approve Business and Financial Report: Warrants, Checks, and Electronic Transfers Issued for the Period of September 2020 (Rose Ramos)*
- 11.1j *Approve Minutes of the September 17, 2020, Board of Education Board Meeting (Jorge A. Aguilar)*
- 11.1k *Approve Minutes of the September 24, 2020, Board of Education Special Board Meeting (Jorge A. Aguilar)*
- 11.1l *Approve COVID-19 CARES Act Expenditures (Rose Ramos)*

President Ryan asked for a motion to adopt the Consent Agenda. A motion was made to amend and approve the Consent Agenda by pulling Resolution #R21-01390 from Item 11.1a and by pulling Item 11.1g. The motion was made by Vice President Pritchett and seconded by Second Vice President

Minnick. The Board voted to adopt the agenda 6-1 with Member Woo away from the meeting during the vote.

Public comment was made by Shana Just, Arthur Sisneros, Daniel Conway, and Alison French-Tubo.

President Ryan asked Sacramento County Office of Education David Gordon to comment on Item 11.1g. Superintendent Gordon said he thought it was assumed that it would be discussed and disposed of this evening, so rather than extending the meeting any longer he suggested waiting until it was up for discussion next time, as it is not something that they feel is necessary or would add anything to all of the reviews and analysis that the District has already. He said there is very tight timeline, and this is not something that has been used in the past very often or to advantage. He noted that Dick Sweitzer, who is their incoming Chief Executive Officer to replace Tami Sanchez, worked in the Department of Education for a number of years. He asked him to comment. Mr. Sweitzer said budget review committees are rarely used, and generally it is preferable for a district governing board to work with district administration and the county office to find solutions to a budget issue rather than spend the time, effort, and cost of a budget review committee.

12.0 BUSINESS AND FINANCIAL INFORMATION/REPORTS

Receive Information

12.1 Business and Financial Information:

- *Purchase Order Board Report for the Period of July 15, 2020, through August 14, 2020 (Rose F. Ramos)*
- *Purchase Order Board Report for the Period of August 15, 2020, through September 14, 2020 (Rose F. Ramos)*

President Ryan received the Business and Financial Information/Reports

13.0 FUTURE BOARD MEETING DATES / LOCATIONS

- ✓ *November 5, 2020 4:30 p.m. Closed Session, 6:00 p.m. Open Session, Serna Center, 5735 47th Avenue, Community Room, Regular Workshop Meeting*
- ✓ *November 19, 2020 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 Vice President Pritchett and seconded by Board Member Sheikh. The motion was passed unanimously, and the meeting adjourned at 9:29 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