

SACRAMENTO COUNTY BOARD OF EDUCATION

Minutes of the Regular Meeting of July 9, 2019

Agenda

- I. Call to Order and Roll Call
- II. Pledge of Allegiance
- III. Organization of the Board of Education for 2019-2020
 - A. Election of President
 - B. Election of Vice President
- IV. Approval of the Minutes of the Regular Board Meeting of June 11, 2019
- V. Adoption of Agenda
- VI. Official Correspondence
- VII. Visitor Presentations
 - A. General Public
 - B. Employee Organizations
- VIII. Superintendent's Report
- IX. New Business
 - A. Adoption of Consent Agenda
 1. Report on Personnel Transactions
 2. Award Diplomas to Court School, Community School, and Special Education Students
 3. Approval of the 2019-2020 Consolidated Application Part 1 for Funding Categorical Aid Programs for Juvenile Court and Community Schools
 - B. Approval of Contracts
 - C. Authorization to Submit Grant Applications/Service Contracts and Accept Funding if Awarded; and Approval of Contracts, Positions, and Other Expenditures Associated with the Grants as Outlined in the Proposed Budgets
 1. \$22,000 CA Student Aid Commission Capital Area Cash for College, Registered Coordinating Organization from the California Student Aid Commission for the 2019-2020 fiscal year
 2. \$654,006 California Student Opportunity and Access Program (Cal-SOAP) grant from the California Student Aid Commission for the 2019-2020 fiscal year
 - D. Fortune Countywide Charter School – Request for Approval of Proposed New Elementary School Site
 - E. First Reading of Revisions to Board Policy 5131.2 – Prohibition on Bullying
 - F. First Reading of Revisions to Board Policy 5141 (Renumbered 5141.4) – Child Abuse Prevention and Reporting
- X.
 - A. Hearing of Student Expulsion Appeal (19-01) from the Natomas Unified School District (Closed Session Pursuant to Education Code Section 48920)
 - B. Deliberations on Expulsion Appeal 19-01 (Closed Session Pursuant to Education Code Section 48920)
 - C. Reconvene in Open Session for Decision and Action on Expulsion Appeal 19-01
- XI. Board Reports, Comments, and Ideas
 - A. Board Members

- B. Board President
 - C. Committee
 - XII. Items for Distribution
 - A. July/August Events
 - B. July/August Site Visits
 - XIII. Schedule for Future Board Meetings
 - A. August 13, 2019 – Adult Education
 - B. August 24, 2019 – Board/Superintendent Retreat
 - XIV. Adjournment
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I. President Brown called the meeting to order at 6:31 p.m. in the Board Room of the David P. Meaney Education Center, Sacramento County Office of Education, 10474 Mather Boulevard, Mather, California. Board members present were Joanne Ahola, Alfred Brown, Heather Davis, Harold Fong, Paul Keefer, Bina Lefkovitz, and Karina Talamantes. Also present were David Gordon, Superintendent and Secretary to the Board; Al Rogers, Deputy Superintendent; Teresa Stinson, General Counsel; Tammy Sanchez, Associate Superintendent; Matt Perry, Assistant Superintendent; Coleen Johnson, Chief Administrator-Human Resources; Jerry Jones, Executive Director of Technology; Michael Kast, Executive Director of Special Education; Tim Herrera, Director of Communications; Rachel Perry, Executive Director of C-SAPA, other staff and visitors; and Shannon Hansen, Recording Secretary.

II. President Brown led the Pledge of Allegiance.

III.A. Election of President

President Brown stated that nominations are now in order for the office of Board President for the 2019-2020 term.

Ms. Talamantes nominated Bina Lefkovitz to serve as Board President for the 2019-2020 term. Ms. Davis seconded the nomination.

President Brown asked if there were any further nominations.

Mr. Keefer nominated Joanne Ahola to serve as Board President for the 2019-2020 term. Ms. Ahola responded by thanking Mr. Keefer for the nomination, but at this time due to personal reasons will have to decline.

President Brown stated that being no further nominations, nominations are now closed.

Mr. Fong moved by acclamation that we elect Bina Lefkovitz as Board President for the 2019-2020 term. President Brown asked for a roll call vote on the nomination of Bina Lefkovitz to serve as Board President for the 2019-2020 term:

Ms. Talamantes – yes
Ms. Lefkovitz – yes
Mr. Keefer – yes

Mr. Fong – yes
Ms. Davis – yes
Ms. Ahola – yes
Mr. Brown – yes

Ms. Lefkovitz was unanimously elected as President of the Sacramento County Board of Education for the 2019-2020 term based on the Roll Call vote above.

Newly elected President Bina Lefkovitz thanked her fellow Board members for electing her to serve in this capacity.

III.B. Election of Vice President

Newly elected President Lefkovitz called for nominations for the office of Board Vice President for the 2019-2020 term.

Ms. Ahola nominated Mr. Keefer to serve as Board Vice President for the 2019-2020 term. Mr. Brown seconded the nomination.

Newly elected President Lefkovitz asked if there were any further nominations.

Newly elected President Lefkovitz stated that being no further nominations, nominations are now closed and asked for a roll call vote on the nomination of Paul Keefer to serve as Board Vice President for the 2019-2020 term:

Ms. Talamantes – yes
Ms. Lefkovitz – yes
Mr. Keefer – yes
Mr. Fong – yes
Ms. Davis – yes
Ms. Ahola – yes
Mr. Brown – yes

Mr. Keefer was unanimously elected as Board Vice President of the Sacramento County Board of Education for the 2019-2020 term based on the Roll Call vote above.

Newly elected President Lefkovitz presented outgoing President Brown with a plaque recognizing his work as Sacramento County Board of Education President for the 2018-2019 term.

IV. On a motion by Mr. Brown and seconded by Mr. Fong, the minutes of the regular meeting of June 11, 2019 were approved. Motion carried unanimously (7 ayes).

V. Ms. Davis moved to adopt the agenda. Mr. Keefer seconded the motion, which carried unanimously (7 ayes).

VI. There was no official correspondence.

VII.A. John Perryman presented public comments in regards to SCUSD's LCAP.

VII.B. There were no requests for presentations from employee organizations.

VIII. Superintendent Gordon reported on the following:

Mr. Brown read a letter from Judge Robie to the Board.

- Congratulated Trustee Lefkovitz for being selected to serve as our new Board President. Also congratulated Trustee Keefer for being selected to serve as our Vice President for 2019-2020. Thank you to Trustee Brown for serving as Board President over the past year.
- On June 27, we hosted our third community school graduation of the season. This one was at the SCOE Conference Center. We celebrated the successes of 30 graduates, most of whom attended our Senior Extension Program. Pastor Tim Jemmot, with the Hawk Institute, gave a moving keynote speech and personally congratulated each student as they accepted their diplomas. Thanks to Board President Brown, and Trustees Davis, Lefkovitz, and Keefer for attending.
- Reported that our summer "Lunch on the Lawn" BBQ on June 19 raised \$550 dollars for Sly Park Outdoor Education Scholarships through the Friends of Sly Park nonprofit. Many thanks to the more than 100 SCOE employees who attended and contributed.
- Reminded everyone we have only one meeting in August. We will be meeting on August 13.
- Mark your calendars for Wednesday, August 14, 2019 when we host our annual Employee Recognition Day. The event will be held at the Scottish Rite Masonic Center – across from Sacramento State. The event begins at 8:30 a.m.
- On Friday, August 23, 2019, we will host the Sacramento County Teachers of the Year for 2020 awards dinner. We will honor Austin Roughton – SCOE's Teacher of the Year – along with top teachers from our other districts. The event will be held at the Hilton Sacramento Arden West. The dinner begins at 6:30 p.m. Please see Tim Herrera for details.

IX.A. Mr. Brown moved and Ms. Ahola seconded adoption of the consent agenda. Motion carried unanimously (7 ayes). By such action, the Board:

1. Accepted report on Personnel Transactions
2. Awarded diplomas to Court School, Community School, and Special Education Students

3. Approved the 2019-2020 Consolidated Application Part 1 for Funding Categorical Aid Programs for Juvenile Court and Community Schools

Dr. Matt Perry, Assistant Superintendent, announced that the following students will be awarded a diploma: Anika Alazay Gonzalez, Evan Patrick Green, Rosa Daniella Lopez, Anahi Rodriguez, and Zauriah Taqia Mauriana Michelle Whitley from Elinor Lincoln Hickey Jr./Sr. High School; Eric Alexis Alston, Vincent Lam, and Zixuan Xie from Gerber Jr./Sr. High School; Nyle E. Bradstreet, Tucker Frye, Noah Lauvao, A'Jon Lindsey, Shelby Marie Monis, Travis Ostring, Gina Marie Maxine Roberts, Anisah Smith, and Andrew Williams from Leo A. Palmiter Jr./Sr. High School; and Nazuja Erin Bean, Jordyn Marie Jackson, Tariq R. King, Jassmin Judith Miranda, Jasmine Molina, and Jaime Daniel Palacio from North Area Community School.

IX.B. Ms. Davis moved and Mr. Fong seconded approval of the contracts as listed. Motion to approve the contracts carried unanimously (7 ayes).

IX.C. On a motion by Mr. Brown, seconded by Ms. Talamantes and carried unanimously (7 ayes), the Board authorized staff to submit grant applications/service contracts and accept funding if awarded; and approved contracts, positions, and other expenditures associated with the grants as outlined in the proposed budgets as follows:

1. \$22,000 CA Student Aid Commission Capital Area Cash for College, Registered Coordinating Organization from the California Student Aid Commission for the 2019-2020 fiscal year
2. \$654,006 California Student Opportunity and Access Program (Cal-SOAP) grant from the California Student Aid Commission for the 2019-2020 fiscal year

IX.D. Fortune Countrywide Charter School – Request for Approval of Proposed New Elementary School Site

President Lefkovitz announced that the Sacramento County Board of Education will now hold a public hearing on the Fortune Charter School's request for approval of a new K-5 elementary school to be located at 2801 Meadowview Road, within the boundaries of the Sacramento City Unified School District.

President Lefkovitz opened the public hearing at 6:52 p.m.

General Counsel Teresa Stinson presented a summary of the Fortune Charter School's request for approval of the new school site.

Ms. Margaret Fortune presented information on the new school site, handed out a document highlighting the Fortune charter school's academic progress, and introduced Pastor Tecoy Porter, Sr., after whom the new school will be named.

President Lefkovitz asked for public input on this item.

SCUSD Trustees Leticia Garcia and Mia Vang presented in opposition to the new Fortune Charter Elementary School Site, and asked that the Board delay acting on the item until a future meeting.

Dr. Ellington Porter, Lawrence Byrd, and Rex Fortune presented to the Board in favor of the new Fortune Charter Elementary School site.

John Perryman presented a neutral stance on the new Fortune Charter Elementary School site, and asked the Board to be mindful of special education rates.

President Lefkovitz closed the public hearing at 7:27 p.m.

Following Board member comments and questions, Ms. Davis moved and Mr. Brown seconded the motion to approve the Fortune Charter School's proposed new elementary school to be located at 2801 Meadowview Road, Sacramento, CA 95832.

Ms. Talamantes moved and Mr. Fong seconded a substitute/amended motion to postpone the vote of Fortune Charter School's proposed new elementary school to a future Board meeting. Motion failed 5 noes, 2 ayes.

Ms. Talamantes and Mr. Fong requested that the letter from Superintendent Aguilar be read into the record.

After additional comments by Board members, the Board proceeded with the original motion to approve the Fortune Charter School's proposed new elementary school to be located at 2801 Meadowview Road, Sacramento, CA 95832. The motion carried based on the following roll call vote:

Ms. Talamantes – no

Ms. Lefkovitz – yes

Mr. Keefer – yes

Mr. Fong – no

Ms. Davis – yes

Ms. Ahola – yes

Mr. Brown – yes

Superintendent Gordon read the following letter dated July 9, 2019 from Superintendent Jorge Aguilar into the record:

Dear Superintendent Gordon:

The Sacramento City Unified School District ("District") is in receipt of the Sacramento County Office of Education's ("SCOE") notice regarding Fortune Countywide Charter School ("Fortune"), including Fortune's request that the Sacramento County Board of Education ("Board") approve a new Fortune elementary school site, proposed to be located at 2801 Meadowview Road in Sacramento, within the boundaries of the District. We understand the Board will consider approving the additional Fortune school site at a public hearing to be held tonight, July 9, 2019, at 6:30 p.m. For reasons explained

below, the District respectfully requests that the Board postpone any action to approve the additional Fortune location, to provide the District with an opportunity to present to the Board a more comprehensive response, including associated data, supporting potential impacts the proposed new school may have on the District.

As SCOE is aware, the District is currently in qualified budget status, and has been actively managing a number of financial challenges. Further, several of the schools in the area where the Fortune proposes to locate its new school have experienced stagnant or declining enrollment over the past several school years. The addition of a new charter school location within the District's boundaries could have a significant impact on the district, because the charter school will likely pull its students largely from within the District's boundaries, triggering declining enrollment in the charter school's attendance area and an associated impact on the District's revenue. As you know, the District's financial situation is tenuous and we are currently working with SCOE and committed to addressing our structural deficit and turning around our financial situation. The proposed new Fortune school site would negatively impact the Districts' funds available for critical resources, including educational programs, classroom materials, facilities maintenance, and other important District operations impacting pupils and the community.

In addition, the District has a number of schools and programs currently in place in the charter school's proposed attendance area which more than adequately meet the needs of the students in the area. The materials provided by the charter school do not address how students in the area will benefit from Fortune's services or programs in a manner not already provided by the District. Further, while we appreciate the charter school's focus on, and concern about, test scores, the charter school has not provided any materials or information which would address the significant impact of its programs on the District, including potential enrollment decline and impact on existing District schools and programs.

Based on the above, I respectfully request that the Board not take action to approve a new Fortune location at its meeting on July 9, 2019, and postpone any such action until the District has had an opportunity to provide a full and comprehensive response and associated data informing the Board of the significant detrimental impacts a new Fortune school site will have on the District.

Sincerely,

Jorge A. Aguilar
Superintendent

IX.E. First Reading of Revisions to Board Policy 5131.2 – Prohibition on Bullying

Chair Ahola of the Policy Committee recommended that the revisions to Board Policy 5131.2 – Prohibition on Bullying move forward to Second Reading at a future Board Meeting.

IX.F. First Reading of Revisions to Board Policy 5141 (Renumbered 5141.4) – Child Abuse Prevention and Reporting

Chair Ahola of the Policy Committee recommended that the revisions to Board Policy 5141 (Renumbered 5141.4) – Child Abuse Prevention and Reporting move forward to Second Reading at a future Board Meeting.

X. President Lefkovitz announced that the Board will now meet in Closed Session for Expulsion Appeal 19-01, involving Natomas Unified School District. After the appeal hearing is completed, the Board will reconvene in Open Session to report on the Board's decision.

President Lefkovitz asked that all individuals not associated with the Natomas Unified School District expulsion appeal leave the room.

Open Session was recessed at 8:01 p.m. and Closed Session was convened at 8:11 p.m.

- X. A. Hearing of Student Expulsion Appeal (19-01) from the Natomas Unified School District (Closed Session Pursuant to Education Code Section 48920)
- B. Deliberations on Expulsion Appeal 19-01 (Closed Session Pursuant to Education Code Section 48920)
- C. Reconvene in Open Session for Decision and Action on Expulsion Appeal 19-01

Open Session was reconvened at 10:28 p.m.

Mr. Keefer moved and Ms. Talamantes seconded the motion to extend tonight's meeting for 30 minutes, until 11:00 p.m. Motion carried unanimously (7 ayes).

President Lefkovitz announced that the County Board took action to reverse the Natomas Unified School District's decision to expel the student in Expulsion Appeal No. 19-01 by the following vote:

Ms. Davis – yes
Mr. Fong – yes
Ms. Ahola – yes
Mr. Brown – no
Ms. Lefkovitz – yes
Ms. Talamantes – yes
Mr. Keefer – yes

The County Board also took action ordering the Natomas Unified School District to expunge the student's school records of any references to this expulsion action, and

that the expulsion shall be deemed not to have occurred. The motion carried unanimously (7 ayes) by the following vote:

Ms. Davis – yes
Mr. Fong – yes
Ms. Ahola – yes
Mr. Brown – yes
Ms. Lefkovitz – yes
Ms. Talamantes – yes
Mr. Keefer – yes

President Lefkovitz announced that the Board’s written decision will be issued within three school days.

XI.A. Ms. Ahola – no report.

Mr. Keefer thanked Dr. Brown for his excellent leadership as Board President. Also wished Dr. Brown the best for camp tomorrow.

XI.C. President Lefkovitz requested all the trustees email her and Superintendent Gordon the committees they would like to be on. She also commented on how she looks forward to this new role.

XII.A. There was no distribution of the July/August Events item.

XII.B. There was no distribution of the July/August Site Visits item.

XIII. Schedule for Future Board Meetings:

- A. August 13, 2019 – Adult Education
- B. August 24, 2019 – Board/Superintendent Retreat

XIV. Ms. Talamantes moved to adjourn the meeting. Mr. Keefer seconded the motion, which carried unanimously (7 ayes). The meeting adjourned at 10:31 p.m.

Respectfully submitted,

David W. Gordon
Secretary to the Board

Date approved: August 13, 2019