Approved

SACRAMENTO COUNTY BOARD OF EDUCATION

Minutes of the Regular Meeting of October 4, 2011

Agenda

I. Call to Order and Roll Call
II. Pledge of Allegiance
III. Approval of the Minutes of the Regular Board Meeting of September 20, 2011
IV. Adoption of Agenda
V. Official Correspondence
VI. Visitor Presentations
    A. General Public
    B. Employee Organizations
VII. Superintendent's Report
    A. Recognition of the November 2011 Employees of the Month
    B. Recognition of SCOE Staff
VIII. New Business
    A. Adoption of Consent Agenda
        1. Report on Personnel Transactions
        2. Accept Donation to Employee Recognition Day Event
        3. Authorize Staff to Submit a Request for Proposals (RFP) to Administer the Program Placement of Parolees in the Caltrans Work Crews Program for the Sacramento Community Based Coalition (SCBC)
    B. Approval of Contract
    C. No Grant Applications/Service Contracts
    D. Approval of the 2010-2011 Unaudited Actuals Financial Report
    E. Approval of the 2010-2011 Budget Revisions No. 4
    F. Adoption of Resolution No. 11-19 – Calling for Election of Trustees to the Sacramento County Board of Education on June 5, 2012
    G. Overview of Powerhouse Museum Project and Qualified Zone Academy Bond Program (QZAB)
    H. First Reading of Proposed Revisions to Board Policy 6152 (Renumbered 6158) – Independent Study
    I. First Reading of Proposed Revisions to Board Bylaw 8240 (Renumbered 9270) – Conflict of Interest
    J. Second Reading and Adoption of Proposed Revisions to Board Bylaw 8340 (Renumbered 9340) – Adjourned and/or Continued Meetings
    K. Second Reading and Adoption of Proposed Revisions to Board Bylaw 8360 (Renumbered 9360) – Study Sessions
    L. Board Report – Career Technical Education
IX. Board Reports, Comments, and Ideas
    A. Board Members
    B. Board President
    C. Committees
X. Items for Distribution
    A. October/November Events
    B. October/November Visits
XI. Items for Future Board Meetings

A. October 18, 2011 – Board Study Session – Entrepreneurial Opportunities
B. November 1, 2011 – Report on Fortune Charter
C. November 15, 2011 – Williams Report

XII. Adjournment

I. President Cooley called the meeting to order at 6:34 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 Harold Fong, Brian Rivas, Greg Geeting, Brian Cooley, Eleanor Brown, and Jackie Levy. Also present were David Gordon, Superintendent and Secretary to the Board; Sue Stickel, Deputy Superintendent; Teresa Stinson, General Counsel; Robin Pierson, Joyce Wright, Tammy Sanchez, Tim Taylor, and John Fleischman, Assistant Superintendents; Judy Holsinger, SELPA Executive Director; Effie Crush, Chief Administrator-Human Resources; Tim Herrera, Director of Communications; Gary Barker, SCOETA; Bill Mullen, CSEA; other staff and visitors; and Carla Miller, Recording Secretary. Trustee Scribner was absent.

II. Trustee Brown led the Pledge of Allegiance.

III. On a motion by Mr. Fong and seconded by Mr. Geeting the revised minutes of the regular meeting of September 20, 2011 were approved. Motion carried unanimously.

IV. Mr. Geeting moved to adopt the revised agenda. Mr. Rivas seconded the motion, which carried.

V. There was no official correspondence.

VI.A. Monica Jones stated she is the Parent Liaison for the Fortune Charter School. She stated there is a group of parents here who are a part of the Parent Action Committee. They are here on a field trip to familiarize themselves with the Board proceedings. She stated that they believe that educated parents are empowered parents and so that's their purpose.

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

VII.A. Lynn Twang, Staff Secretary, and Darcie Magana, MIS Specialist, Student Information Systems and Reporting, were recognized and honored as the classified employees of the month for November.

Cindy Tanaka, Counselor, Juvenile Court Schools, was recognized and honored as the certificated employee of the month for November.

VII.B. Principal Lauren Roth introduced Ben Diaz who was recognized and honored as the 2012 Teacher of the Year.

Superintendent Gordon reported on the following:

- Announced we will need two County Committee meetings to approve the trustee maps for Twin Rivers and Elk Grove Unified School Districts. The Board is obligated to hold a meeting in each of their districts to do so. We are recommending Tuesday, November 8, 2011 in the Twin Rivers Unified School District Board Room and Tuesday, November 29, 2011 in the Elk Grove Unified School District Board Room. Both meetings are scheduled to begin at 6:00 p.m. Please check your schedules and see if we can accommodate those dates.

- Personally thanked everyone who participated in the Project SAVE Golf Tournament held yesterday at the Catta Verdera Country Club, in Lincoln. This annual fundraiser is the main source of funding for this model community project that has been proven to prevent and reduce youth violence and bullying behaviors. Our thanks to the Project SAVE board, Cheryl Raney, and Board President Cooley for organizing the event. We will report back on the fundraising results.

- Reminded everyone that the Culinary Arts Café at the Leo A. Palmiter campus will reopen for lunch on Tuesday, October 11, 2011 from noon to 1:00 p.m. The program is now under the direction of our new culinary instructor Jeff Zahniser. The grand opening menu has a Hawaiian theme featuring both chicken and short ribs. For reservations call 566-2039.

- Invited everyone to join us on Wednesday, October 12, 2011 at 10:00 a.m. for an event in the Palmiter multipurpose room. Over the summer, a team of SCOE community school students worked with the Youth Empowerment Studios of Sacramento to produce a series of public service announcements. The announcements, created by our very own high-risk students, are designed to convince other high-risk students to stay in school. For more information, please see either Tim Taylor or Tim Herrera.

- Invited everyone to the Gerber Jr/Sr High School Back to School Night on Wednesday, October 12, 2011 at 6:00 p.m. We hope you can join us. It is a great opportunity to meet staff, students and parents. He hopes you can join us.

- Reminded everyone that on October 18, 2011 we will be holding a study session instead of a regular Board meeting. The topic is Entrepreneurial Opportunities. The session will run from 6:00 p.m. to 7:30 p.m.

- Invited everyone to SCOE's popular "Goblin-Fest" dessert event on Monday, October 31, 2011 from 11:45 a.m. to 1:15 p.m. For a donation of $5 you can enjoy a plateful of delicious pies, cakes, cookies and more. Three dollars will get you a single serving. Proceeds from the event will go toward SCOE's Special Education Student Body Fund. Last year's event raised $330.

- Reminded everyone that SCOE offices will be closed on Friday, November 11, 2011 in observance of the Veterans Day holiday.

VIII.A. Mr. Geeting moved and Ms. Levy seconded adoption of the consent agenda. Motion carried unopposed. By such action, the Board:

1. Accepted revised report on Personnel Transactions
2. Accepted donation to Employee Recognition Day Event
3. Authorized staff to submit a Request for Proposals (RFP) to administer the Program Placement of Parolees in the Caltrans Work Crews Program for the Sacramento Community Based Coalition (SCBC)

VIII.B. Mr. Geeting moved and Mr. Rivas seconded approval of the revised contracts as listed. Motion to approve the contract carried.

VIII.C. No Grant Applications/Service Contracts

VIII.D. Mr. Rivas moved and Mr. Fong seconded approval of the 2010-2011 Unaudited Actuals Financial Report. Motion carried unopposed.

VIII.E. Mr. Rivas moved and Mr. Fong seconded approval of the 2010-2011 Budget Revision No. 4. Motion carried unopposed.

VIII.F. Mr. Rivas moved and Mr. Geeting seconded the motion to adopt Resolution No. 11-19 – Calling for Election of Trustees for the Sacramento County Board of Education on June 5, 2012 along with the approval of up to 400 words for the candidates' statement. Motion carried unopposed.

VIII.G. Overview of Powerhouse Museum Project and Qualified Zone Academy Bond Program (QZAB)

Mr. Fong moved and Ms. Brown seconded the motion to authorize staff to continue discussions with the Powerhouse Science Center to complete due diligence on this possible partnership. Motion carried unanimously.

VIII.H. President Cooley announced that this was the first reading and adoption of the proposed revisions to Board Policy 6152 (Renumbered 6158) – Independent Study.

Chair Geeting of the Policy Committee recommended that we move this item forward for Second Reading at the next Board Meeting.

VIII.I. President Cooley announced that this was the first reading and adoption of the proposed revisions to Board Bylaw 8240 (Renumbered 9270) – Conflict of Interest.

Chair Geeting of the Policy Committee recommended that we move this item forward for Second Reading at the next Board Meeting.

Mr. Fong said this is a conflict of interest policy for the County Board. He wondered if the committee looked into whether or not the Board of Supervisors or the County of Sacramento has a conflict of interest code that applies to all local agencies within its jurisdiction. He asked if any of our employees manage any kind of public investments on our behalf and should they be included under the Board's policy. He understands that this policy applies to just the Board members. He would like the Board to see the policy that will apply to the employees and which categories and designations of employees that will be covered by the conflict of interest policy. He is a little bit uncomfortable in the proposed language that we are going to direct the Superintendent to develop ARRs to cover employees because most boards develop the policies and ask for the superintendent to carry them out. He would prefer that the Board develop the bylaws and approve them as opposed to directing the Superintendent to make them ARRs because the Board does not approve ARRs.

President Cooley said the last point is not pertaining to this particular Board Bylaw. He recommends that during Board comments at the tail end of the meeting, if you want to have that brought up for discussion at a future Board meeting, we can address it then. He thinks that the other points will be addressed by staff at the second reading on November 1, 2011. The third one may be out of the scope of the agenda item, but might be suitable for a future agenda item.

Ms. Levy said that it states a board member shall not simultaneously hold two public offices that are incompatible and it is obvious that one would be a school district board and a county board. Are there others that would be considered compatible?

President Cooley replied that the State Attorney General's office has had a number of rulings on this over the years. At one time we had a Board member that served on this Board and the SMUD board simultaneously. He's not sure if that was cited as incompatible but he thinks there is already a new state law that actually supersedes those in place.

Mr. Geeting said basically in the policy we were trying to reflect what the status of the law is. Trustee Fong is in two elected offices; he's in this office and he's on the Democratic Central Committee, which is also on the ballot. They're not incompatible offices.

President Cooley said a good example of what he recalls to be a clear incompatibility of offices would be if you are on the city council and the school board in the same jurisdiction. A lot of times the AG office, on a case by case basis, looks at those situations.

Ms. Levy said she wondered what makes something incompatible.

Mr. Geeting said we confronted that in the appointment to Trustee Area IV where one candidate was on the fire board and that was determined to be an incompatible office.

President Cooley said we don't make that determination in our bylaws.

Mr. Geeting replied it's on a case by case basis. We did address the issue of the ARRs and the Superintendent and felt this was the correct avenue to go. The Superintendent is the employing authority and typically the employing authority would be the one who promulgates the conflict of interest code. All employees who are directly appointed by the Board or advise the Board are included in the Board's policy and then the Superintendent is directed to adopt a policy for all other employees.

President Cooley said to Trustee Fong, that policy could be presented in a Board Communication or to the committee at some point.

Mr. Geeting said the ARR's would typically come as an informational item. He doesn't know if they will be ready for the next meeting.

President Cooley said he doesn't think Trustee Fong is looking for them any time soon, but the Board will want to see them when completed.

Mr. Fong replied no, he's actually suggesting that a second set of policies be developed because he firmly believes that the Board sets the policies whether they are conflict of interest policies or other bylaws. This particular one deals with the Board (us). The policy that deals with the employees should be a policy of the County Board of Education and the Superintendent carries them out. You're asking that the Superintendent develop those policies and then we get them as informational items so therefore we never set the policy of what is a conflict of interest for the people that work here. He's saying that as a Board these are the conflict of interest policies that should apply to everybody.

President Cooley said he understands that. The point is, this is the first reading and it's going to come back on November 1. He would suggest that Board members submit their suggestions for amended language to modify this policy before then.

Superintendent Gordon said he thinks Mr. Fong is raising an issue regarding the authority of the Superintendent as the employer as set forth in code and the authority of the Board as the policy setting body. It turns out that the employer is the one who sets the conflict of interest policy for the employees that he hires and supervises. We have a conflict of interest policy and we're happy to turn it into an ARR and bring it to the Board for information, but it isn't appropriate to change the relationship of the Superintendent as the employer and the Board as the policy setting body. He thinks we have belabored that through legal opinions and he doesn't know if it is helpful to continue to do that because our conflict of interest policy is every bit as rigorous as the one the Board sets for itself.

Mr. Fong said he is not denying or going into the discussion of whether the policy that the Superintendent will develop is just as rigorous as the one that applies to the Board. He wants to speak to the fact about who should develop the policy for the employees. As the employer, we have a Personnel Commission that infringes on your ability to hire people because they approve the job descriptions and everything that goes to you and we appoint people to that commission. We appoint people to those commissions just as much as you do and the unions that represent the employees do. He feels that the

policy of a conflict of interest should be made by the Board or confirmed by the Board or voted by the Board as opposed to ARRs that just come to us as informational items. He would prefer that we take a vote on that.

President Cooley said this is the first reading of this item. He would like to hear more background on that for the meeting on November 1 for the second reading.

Dawn McCarron came forward to restate the position that Superintendent Gordon was trying to get across. A conflict of interest policy comes under the purview of terms and conditions of employment, which means it's a negotiable item and it must be determined and mutually agreed upon between the two negotiating parties so it would be between management and labor to make the decision and come to an agreement upon any conflict of interest policy. It would not be up to the Board to make that decision.

VIII.J. President Cooley announced that this was the second reading and adoption of the proposed revisions to Board Bylaw 8340 (Renumbered 9340) – Adjourned and/or Continued Meetings.

Chair Geeting moved, on behalf of the Policy Committee, to adopt the proposed revisions to Board Bylaw 8340 (Renumbered 9340) – Adjourned and/or Continued Meetings. Motion carried unanimously.

VIII.K. President Cooley announced that this was the second reading and adoption of the proposed revisions to Board Bylaw 8360 (Renumbered 9360) – Study Sessions.

Chair Geeting moved, on behalf of the Policy Committee, to adopt the proposed revisions to Board Bylaw 8360 (Renumbered 9360) – Study Sessions. Motion carried unanimously.

VIII.L. Assistant Superintendent Tim Taylor provided a report on Career Technical Education.

Superintendent Gordon said he just wanted to underscore one thing that both Tim Taylor and Ms. Stymeist said, which was that the state put $450 million or so in ROP money on the table and said invest it or spend it on whatever you want. In this county, he thinks in large part because of the leadership in the districts and Tim we get about $15 million. That funding has not been invaded at all by any of our districts because they see the value of the program. If anything, our districts have added to that from their own local money, which suggests to him that the idea of mandates is not helpful. What's helpful is giving districts the flexibility to do what makes sense for kids and giving them the support and the curriculum assistance. He thinks it's a real object lesson in how flexibility can pay off.

IX.A. Mr. Fong – no report.

Mr. Rivas – no report.

Ms. Brown – no report.

Ms. Levy thanked the students, teachers and Tim Taylor for the great report on CTE; she is a huge fan because it makes school meaningful. She attended the convocation for UC Davis. Chancellor Linda Katehi wants UC Davis to become the second largest school of the UC system. They get $700 million in research grants and the Chancellor wants UC Davis to become more entrepreneurial, which is something we talk about SCOE doing all the time. The Chancellor said she wants to grow their graduate programs and her 2020 initiative is to become more widely recognized as a top public university around the world. She wants to focus on excellence, innovation, and economic development. She wants to create innovation hubs to move research out into the community and to partner with the private sector to bring economic development to northern California. There were two other speakers, both connected with UC Davis. One was Mark Otero who is a social gaming expert. He founded a company called KlickNation, based in Sacramento. He thinks that online gaming has huge potential and he wants Sacramento to be the nexus of social gaming, which she thinks would be wonderful for our economy. The other speaker was Dr. Paul Henderson who is at the UC Davis Medical Center. He's doing research on which patients can benefit from chemotherapy. It's always a difficult thing for a doctor to determine whether or not to use these drugs. He's developing something called Personalized Medicine which researches people's DNA to determine if they will benefit or be harmed from certain cancer drugs. This is the type of thing that Chancellor Katehi wants UC Davis to be known for. Ms. Levy was very impressed with what the Chancellor had to say and her vision for the future.

Mr. Geeting congratulated Sacramento City Unified School District for having entered into a compact with all of its charter schools to bury the hatchet and become partners in a three-year commitment to create a system of school choice. This includes enrollment to traditional and charter schools as options, working to serve all the students, and closing achievement gaps; it's a very wonderful compact. He was able to attend one of our SCOE Infant Development classes at the Tahoe Colonial Community Center. He appreciated very much the invitation to attend and to better understand the importance of that program to parents and the special needs children who are served. He also attended on September 28 a presentation by Mike Feinberg, who is co-founder with Dave Levin of KIPP (Knowledge is Power Program), a national network which has now grown to 109 KIPP schools in 20 states with 32,000 students. It uses the basic pillars that are part of a number of charter schools, including our Fortune Charter School. These pillars include high expectations, choice and commitment, and more instructional time (which is the real magic). In addition, principals are given the power to make decisions and take positive directions for students and focus on results. The last item he wanted to mention is that Margaret Fortune was interviewed by KCRA on September 29 regarding the keys to student success. She provided some very insightful comments and highlighted the work being done at the Fortune School. She is clearly a favorite of KCRA News anchors Gulstan Dart and Edie Lambert. If you missed the interview, it is archived and can be viewed at KCRA.com.

IX.B. President Cooley – no report.

IX.C. There were no committee reports.

X.A. There was no distribution of the October/November Events item.

X.B. There was no distribution of the October/November Site Visits item.

XI. Items for Future Board Meetings

A. October 18, 2011 – Board Study Session – Entrepreneurial Opportunities
B. November 1, 2011 – Report on Fortune Charter
C. November 15, 2011 – Williams Report

XII. Mr. Geeting moved to adjourn the meeting. Mr. Rivas seconded the motion, which carried. The meeting adjourned at 8:25 p.m.

Respectfully submitted,

David W. Gordon
Secretary to the Board

Date approved: November 1, 2011