

Contra Costa County Board of Education

MINUTES

Board Meeting
February 12, 2020

MEMBERS

Fatima Alleyne, Area 1 Trustee
Sarah Butler, Area 2 Trustee
Vikki Chavez, Area 3 Trustee
Mike Maxwell, Area 4 Trustee
Annette Lewis, Area 5 Trustee

STAFF PRESENT

Lynn Mackey, Superintendent (left before meeting started due to family emergency)
Bill Clark, Deputy Superintendent, Business Services
Terry Koehne, Chief Communications Officer
Cynthia Schwerin- County Council

1. CALL TO ORDER

President Chavez called the meeting to order at 5:00 p.m.

2. GENERAL INFORMATION

3. OPENING PROCEDURES

3.1 Roll Call

All Board Members present.

3.2 Agenda Review and Adoption

Maxwell moved, Lewis seconded and the Board voted 5-0-0 to adopt the agenda as presented.

Ayes: Alleyne, Butler, Chavez, Lewis, Maxwell

Noes: None

Absent: None

4. CLOSED SESSION - NONE

5. RECOGNITIONS

5.1 Resolution 7-19/20- Women's History Month

Lewis moved, Alleyne seconded and the Board voted 5-0-0 to adopt the resolution as presented.

Ayes: Alleyne, Butler, Chavez, Lewis, Maxwell

Noes: None

Absent: None

6. CONSENT AGENDA

6.1 Consent Agenda

6.2 Board Meeting Minutes - November 13, December 11, 2019, January 15, 2020

6.3 Temporary County Certificates (TCCs) - January 2020 (COTTON)

6.4 Consider Granting of a Contra Costa County High School Diploma to Court School Student MMS1-021220 (KHAN)

6.5 Consider Granting of a Contra Costa County High School Diploma to Court School Student MMS2-021220 (KHAN)

6.6 Consider Granting of a Contra Costa County High School Diploma to Community School Student GGCS1-021220 (KHAN)

6.7 Consider Granting of a Contra Costa County High School Diploma to Community School Student GGCS2-021220 (KHAN)

6.8 Consider Granting of a Contra Costa County High School Diploma to Community School Student GGCS3-021220 (KHAN)

6.9 Consider Granting of a Contra Costa County High School Diploma to Community School Student GGCS4-021220 (KHAN)

6.10 Consider Granting of a Contra Costa County High School Diploma to Community School Student GGCS5-021220 (KHAN)

6.11 Consider Granting of a Contra Costa County High School Diploma to Community School Student GGCS6-021220 (KHAN)

6.12 Grand Jury Report #1902

Lewis pulled 6.2 Board Meeting Minutes, to be brought back to the next meeting with corrections.

Lewis pulled 6.12 Grand Jury Report #1902. Lewis noted that the MOU template does not address the recommendation from the Grand Jury, but approved bylaw changes for CVCHS covers request for recommendation. We cannot address changes for Making Waves Academy by March 31, 2020, they are not due for renewal until 2022. Lewis suggested that the response needs to be changed to indicate CVCHS changes to Board has been settled and Making Waves will be dealt with upon renewal in 2022. Clark suggested that staff work on report and brought back at later meeting. Butler and Alleyne requested changes come back to Board for approval. Board members discussed timeline of report and perhaps requesting an extension.

Chavez moved, Alleyne seconded and the Board voted 5-0-0 to approve Consent Agenda items with amendments/corrections.

Ayes: Alleyne, Butler, Chavez, Lewis, Maxwell

Noes: None

Absent: None

7. PUBLIC COMMENT

President Chavez indicated that in all future meetings, public comment will be limited to 2 minutes.

Tammy Campbell- Education Advocate

8. PUBLIC HEARINGS

8.1 Public Hearing - Renewal Petition Appeal for John Henry High School Charter (CLARK)

Bill Clark, Deputy Superintendent, Contra Costa County Office of Education, invited petitioner to present. Sylvia Flores, Site Director, John Henry High School, presented a PowerPoint on John Henry High School. Ms. Flores gave an overall picture of JHHS, founded in 2015 by a group of parents, in its 5th year of operation. JHHS is a small school, with 315 students, grades 9-12. JHHS has seen a growing wait list, currently with 300 applications for 90 spots. JHHS sends over 90% of students to college, 92% of graduates meet A-G requirements, 76% of JHHS alumni are currently enrolled in college or university. Ms. Flores highlighted data comparisons with other area high schools.

Board members asked questions regarding the JHHS renewal. Questions to CCCOE staff included parameters of review and oversight responsibility.

Lewis asked about JHHS Board, Board elections, members, parent involvement and terms. Alleyne also asked some follow up questions regarding parents on the JHHS Board.

Lewis requested JHHS provide the County Board with past finances, going back 5 years. Presentation only included projected finances. Lewis also requested attendance records, chronic absenteeism in particular and teacher credential information. Lewis requested that the students have the right to appeal suspension, as that is a student right in public schools. Lewis will submit additional questions in writing.

Butler asked questions regarding JHHS Board size. Butler requested previous budget on not only JHHS, but entire organization (Amethod) budget, credential information and ELL and Special Education information.

Alleyne requested specific information on Special Education regarding student performance for the past 5 years on students with physical disabilities and emotional disabilities. Alleyne inquired about the founding parents and parent board members status. Requested data on JHHS attrition, Butler concurred on student attrition.

Maxwell inquired about different reports on ELL student population. Please see audio file on BoardDocs for full details.

Public Comment:

Linda Delgado

Edward Quiroz

Gilbert Lopez

Jorge Lopez

Tammy Campbell

Maureen Toms

Trustee Alleyne commented that the information received from JHHS regarding the budget will be shared with the public at the next Board meeting

Rosita Curiel

Noel Gallo

Dan Romero

Dan Walden

Gabby Rodriguez

Peter Hanley

Anselmo Ramirez

Nyla Gonzalez

Phillip Chong

Manuel Vasquez

Sam Eaton

Azucena Macias

Anissa Inthavong

Gerardo Espinoza

Dulce Bernal
Forest Borie
Herly Saravia
Pedro Rocha
Eric Becker
Charito Zepeda
Miguel Lopez
Guadalupe LaCruz
Diego Garcia
Angel Lopez
Maria Cervantes
Nicholas Vaca

The County Board will deliberate and make a decision regarding JHHS at the March 11, 2020 Board Meeting. Butler asked for our charter attorney to be available for this decision. Clark will take the request to Superintendent Mackey. Alleyne requested that Superintendent Duffy for a copy of their findings document.

9. SUPERINTENDENT’S UPDATE

Superintendent Mackey left the meeting before it was called to order to deal with a family emergency.

10. BUSINESS/ ACTION ITEMS

10.1 Review of Board Policy 6174- Education for English Learners- ACTION

Lindy Khan presented the updated English Learner policy 6174 to the Board, with the changes from previous version. New policy needed because of new changes in laws, new requirements. New goals, actions and services for English Learners. Also, added provisions to the policy regarding LCAP requirements for English Learners. Lindy Khan explained that we are undergoing a federal audit, which required that the policy be brought to tonight’s Board Meeting and submitted by 2/24/2020. Policy Committee chair, Sarah Butler asked clarifying questions regarding the policy and some of the edits. Board will be getting updates in form of LCAP. Lewis brought up that first sentence says Governing Board, should it say Contra Costa Superintendent of Schools or Contra Costa County Office of Education. Lewis recommended keeping both and adding “and”, so it will read “County Board of Education and Superintendent of Schools”.

Maxwell moved, Butler seconded, and the Board voted 5-0-0 to approve the policy with amendments.

Ayes: Maxwell, Lewis, Butler, Chavez, Alleyne

Noes: None

Absent: None

10.2 Charter Committee Update- ACTION

Bill Clark addressing standard MOU for Board approval to use on future petitions coming forward and Board direction on initial draft of CVCHS MOU.

Public Comment:

Jim Scheible

Board will start by reviewing the standard MOU.

Butler had questions about changes to 5.3. When major changes are made to bylaws, for example, isn’t that a material revision? Clark explained.

Butler had questions about changes to 7.2.1. Maxwell agreed. At the end, “before the meeting”, should be changed. Alleyne explained that constituents commented on documents being presented at the Board meetings and the documents were not made available to the public. Schwerin recommended “All documents to be shared at the meeting will be attached to the on-line agenda before the meeting.”

Butler had questions about changes to 8.2 & 8.3. Why was 8.2 deleted? Employee handbooks to be posted online. Discussion regarding posting handbook online but not have to send to CCCOE. Taken out of Schedule A. Employee handbooks are not a standard. CVCHS may not call this document a “handbook”, documents are available in other places.

Butler had questions about 9.6, grounds for appeal. Looks fine, at end, 9.6.4, “there is new relevant evidence...”, if there is new evidence, doesn’t it go back to the district? Schwerin explained this is just grounds for appeal. It is ok.

Butler had questions about 16.2. Inquired about adding IDEA after “Section 504”. Lewis recommended moving “by the IEPs and/ or Section 504 Plan...” . Amend 16.2 to include IDEA after Section 504.

Butler had questions about 23.1.3 regarding percent of enrollment. 25% increase seems like a lot. Alleyne clarified that the ranges are different with each charter school, explained to meet the regulations we needed to provide a number that worked. Staff recommended that the language stands so that the percentage stands out.

Alleyne had some changes, starting with 4.4, regarding the term “public agencies”. Charter schools are public agencies. Language stands

Alleyne had questions with 7.2. Is “certified annually” going to be part of the checklist? Tyson explained the checklist. Process does not seem to be clear, ...”by completion of CCCOE’s checklist”, would be helpful addition.

Alleyne had questions about 8.3, fingerprinting. Why was Department of Justice language removed? Clark explained that it is redundant.

Alleyne had questions about 23.2. Adding “County Board after “notification to CCCOE.”

Alleyne had questions about 27.2.2. Who determines that dispute has been resolved? Board is notified upon dispute.

Butler had questions about 8.6. Clark answered STRs requirements.

Alleyne had questions about adding EERA in 4.4. Charter Schools have to comply with EERA. Already in Ed Code, also 8.1 refers to EERA.

Alleyne had questions about financial reporting. Are reporting forms different for charter schools? Clark replied yes and explained that the differences are that they have essential information but not as detailed as district forms. School districts have to comply with standard accounting codes, charter schools do not.

Butler had questions about charter schools with CBA, does the charter have to share that CBA with the county office? Can we add that? Add 8.7, adding, “If charter school has Collective Bargaining agreements(s), share it with CCCOE.”. Schwerin recommended that adding CBA to Schedule A required documentation, rather than MOU.

Maxwell moved, Lewis seconded, and the Board voted 5-0-0 to approve the template MOU with amendments.

Ayes: Maxwell, Lewis, Butler, Chavez, Alleyne

Noes: None

Absent: None

Board now addressing Schedule A.

Butler had questions about due dates on Schedule A, seem to be taken out. Lewis explained that most dates were based on varied dates, although due dates are tracked.

Alleyne had a question regarding Board election practices. Practices are in bylaws. Also question regarding complaint resolution, student expulsions appeal and why health policies was changed to health practices, facility lease agreements and admission enrollment and exit procedures. Clark was able to answer inquiries.

Butler had questions about SARC being posted on their website. This is already a requirement.

Alleyne moved, Maxell seconded, and the Board voted 5-0-0 to approve the Schedule A with amendments.

Ayes: Maxwell, Lewis, Butler, Chavez, Alleyne

Noes: None

Absent: None

Board now addressing CVCHS MOU

Public Comment:

Charise Kound

Butler had a question regarding 13.6 regarding strengthening language about litigation between CVCHS and MDUSD. Scheible commented on current legal process. Clark recommended reaching out to MDUSD for any language they may have. Alleyne agreed.

Lewis had question regarding students coming in from other schools who may have a on A-G requirements. Scheibel explained their credit recovery program, supports and interventions. Students can take online program whether it is from their school or student coming from another school into their program. MOU language on 7.2.5 sufficient for Grand Jury report? Add County Board along with CCCOE?

Butler had a question regarding 1.7, adding County Board. Changes will be brought to County Board, as stated.

Next steps for MOU.

Clark stated that we will move forward with initial redline of CVCHS MOU, get additional comments from CVCSH, get feedback from MDUSD regarding lease agreement, and incorporate comments from tonight's meeting, bring back to Board on March 11 or March 25 meeting. Including Schedule A.

10.3 Presentation of 2020-2021 Staff Calendars (COTTON) – INFORMATION

Cheryl Cotton presented 20/21 Holiday Calendars.

Butler had a question regarding the 260 Day calendar. Cotton explained the 260 v. 261 workday settlement agreement that resulted in a non-work day in November for all classified staff.

11. CABINET MEMBER UPDATES- None

11.1 Cabinet Member Updates

12. LEGISLATIVE UPDATE- None

13. EVENTS CALENDAR

13.1 Calendar of Events

13.2 Board Meeting Dates

14. BOARD REPORTS

14.1 Board Reports of Activities

Maxwell, Lewis, Butler, Alleyene deferred Board Reports until the next meeting. President Chavez attended an EduTrack event, helping students get into college.

15. ADJOURNMENT

The meeting adjourned at 9:15 p.m.