

Contra Costa County Board of Education
MINUTES
BOARD OF EDUCATION MEETING
October 19, 2022

MEMBERS

Consuelo Lara, Area 1 Trustee
Sarah Butler, Area 2 Trustee
Anamarie Avila Farias, Area 3 Trustee
Mike Maxwell, Area 4 Trustee
Annette Lewis, Area 5 Trustee

STAFF PRESENT

Lynn Mackey, County Superintendent of Schools
Denise Porterfield, Deputy Superintendent, Business Services
Norma Gonzales, Assistant Superintendent, Human Resources
Nick Berger, Senior Director, Student Programs
Marsha Tokuyoshi, Senior Director, Educational Services
Natalia Ciccone, Exec. Asst. to the Superintendent and Board
Michelle Kiernan, Exec. Asst. to the Superintendent and Board
Neil McChesney, Coordinator, Charter School Oversight
Hilary Dito, Director, College and Career Readiness
Rhuepell Stroud, Contra Costa Adult School Principal
Cynthia Schwerin, Deputy County Counsel

1. CALL TO ORDER

1.1 The President will call the meeting to order

Board President, Sarah Butler called the Board meeting to order at 5:00 p.m.

1.2 Resolution #5-22/23: AB 361 Resolution to Authorize Teleconferencing for Meetings – ACTION

Action: Adopt the resolution as presented

Motion by Anamarie Farias, second by Consuelo Lara

Yes: Sarah Butler, Anamarie Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

2. GENERAL INFORMATION

2.1 General Information

3. OPENING PROCEDURES

3.1 Roll Call

5 Board Members were present.

Trustee Farias present until 6:41 p.m.

3.2 Pledge of Allegiance

Trustee Butler led the Board in a Pledge of Allegiance

3.3 Agenda Review and Adoption

Action: Adopt the agenda as presented.

Motion by Mike Maxwell, second by Annette Lewis

Yes: Sarah Butler, Anamarie Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

Trustee Farias requested that item 9.14 – Return to In-Person Meetings be moved up to 9.1.

Action: Move item 9.14 to 9.1

Motion by Anamarie Avila Farias, second by Consuelo Lara

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

3.4 Board Meeting Minutes – September 7, 2022- ACTION

Action: Adopt the minutes for Board of Education meeting as presented.

Motion by Mike Maxwell, second by Annette Lewis

Yes: Sarah Butler, Anamarie Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

4. CLOSED SESSION

4.1 None.

5. RECOGNITIONS

5.1 Resolution #11-22/23: Native American History Month

Action: Approve resolution as presented.

Motion by Annette Lewis, second by Mike Maxwell

Yes: Sarah Butler, Anamarie Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

5.2 Resolution #12-22/23: Homeless Youth Awareness Month

Action: Approve resolution as presented with minor edits.

Motion by Mike Maxwell, second by Anamarie Avila Farias

Yes: Sarah Butler, Anamarie Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

6. CONSENT AGENDA

6.1 Consent Agenda

6.2 Temporary County Certificates (TCCs) – September 2022 (GONZALES) – ACTION

6.3 Resolution #04-22/23 - Availability of Textbooks and/or Instructional Materials Pursuant to EC Section 60119 (BERGER)

6.4 Review of Williams Uniform Complaint Quarterly Report (BERGER)

6.5 Consider Granting of a Contra Costa County High School Diploma to Adult School Student CCAS1-101922 (BERGER)

6.6 Consider Granting of a Contra Costa County High School Diploma to Adult School Student CCAS2-101922 (BERGER)

6.7 Consider Granting of a Contra Costa County High School Diploma to Community School Student GGCS1-101922 (BERGER)

6.8 Consider Granting of a Contra Costa County High School Diploma to Community School Student GGCS2-101922 (BERGER)

- 6.9 Consider Granting of a Contra Costa County High School Diploma to Community School Student GGCS3-101922 (BERGER)**
6.10 Consider Granting of a Contra Costa County High School Diploma to Community School Student GGCS4-101922 (BERGER)
6.11 Consider Granting of a Contra Costa County High School Diploma to Community School Student GGCS5-101922 (BERGER)
6.12 Consider Granting of a Contra Costa County High School Diploma to Court School Student MM1-101922 (BERGER)

Action: Approve the consent agenda as presented.

Motion by Mike Maxwell, second by Anamarie Avila Farias

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

7. PUBLIC COMMENT

7.1 Public Comment

None.

8. PUBLIC HEARINGS

8.1 Labor Agreement Proposals – PEU (GONZALES) – INFORMATION

The public hearing opened at 5:24 p.m.

Norma Gonzales, Assistant Superintendent, Human Resources, presented Labor Agreement proposals from PEU Local One/AFSCME Council 57 for Successor Agreement and the initial Management Proposal for successor agreement with representatives of the Classified Unit. The initial presentation of these proposals was presented at the September 7 Board meeting. The Board scheduled a public hearing for tonight's regularly scheduled meeting to receive public input in accordance with AR 4135.31.

The public hearing closed at 5:24 p.m.

9. BUSINESS/ACTION ITEMS

9.1 (9.14) Return to In-Person Meetings (MAXWELL) – DISCUSSION

Trustee Maxwell began the discussion reasoning that CCC BOE should be aligned with most governing boards that have already returned to in person for regular Board meetings and to provide constituents better access to Board members. He also stated that COVID-19 masking mandates have been lifted by the County, the Contra Costa County Office of Education and no additional safety precautions are required for in-person meetings.

Trustees are open to the idea of a hybrid model to allow accessibility to all. Trustees proposed a hybrid model where two Board members would be in person, along with staff members. CCCOE has the technology to allow for the public to participate remotely which would allow access to the public through virtual situations. Hybrid allows for flexibility for three board members virtual and the public has access to the Board members in person.

Superintendent Mackey confirmed the CCCOE has the capability for a hybrid option and allow for the community to participate and observe the meetings, and for staff. The emergency order will be lifted by the state on Feb. 28, 2023, and that will change some of the rules around the teleconferencing options for Board meetings.

County counsel reminded that the current teleconferencing option being utilized is under AB 361 because we are under a state of emergency and health officer recommendations regarding social distancing. The recommendation has been that if the Board desires to use a hybrid model, that at least a quorum is present in person at the same location, and the other members could be virtual to allow better access to the members of the public. The state of emergency is being lifted in February and at that point, will no longer be able to utilize the option of teleconferencing under AB 361. But there are some other teleconferencing options under AB 2449. County counsel is working on a summary to explain the teleconferencing options. The new law takes affect January 1, 2023.

Beginning Jan. 1, 2023, it will be required to have an in-person option and a two-way teleconferencing option for the public comment. Rules apply for all Board meetings, including Interdistrict Transfer meetings.

Public Comment:
Kevin King

9.2 (9.1) Charter School Update (MCCHESNEY) – INFORMATION

Neil McChesney, Charter Oversight Coordinator, introduced representatives from Clayton Valley Charter High School and Invictus Academy of Richmond for their annual LCAP presentations. These presentations are an opportunity for the charter schools to inform the Board members of their current performance and progress with focus on their most recent LCAPs and their goals, actions and expenditures associated with it.

Executive Director Dave Fehte, Business Director Adrienne Barnes and Director of Curriculum and Instruction Kathleen Coakley presented the 2022-23 LCAP for Clayton Valley Charter High School. Executive Director Shawn Benjamin, Principal Sarah Rhee and Assistant Principal Lauren Rahlson presented the 2022-23 LCAP for Invictus Academy of Richmond.

9.3 (9.2) Presentation on the Contra Costa Adult School (CCAS) Programs (BERGER) – INFORMATION

Nick Berger, Senior Director, Student Programs, introduced Hilary Dito, Director, College and Career Readiness, and Principal Rhuepell Stroud who presented an overview about the Contra Costa Adult School programs, including student data, funding and the Western Association of Schools and Colleges (WASC). The Contra Costa Adult School is the school that serves the three detention facilities in the county. The mission of the school is to facilitate the successful transition of adult learners back to their communities by providing life-changing education and personal development. Stroud announced that CCAS had just completed a successful mid-cycle WASC review and the next review is in 2025.

9.4 (9.3) Presentation on the College and Career Readiness (CCR) Program (BERGER) – INFORMATION

Nick Berger, Senior Director, Student Programs, introduced Hilary Dito, Director, College and Career Readiness, to present an overview about the College and Career Readiness program, including student data, funding, Western Association of Schools and Colleges (WASC) and the annual Contra Costa County Regional Occupational Program (ROP) report. The mission is to provide innovative and exemplary Career Technical Education (CTE) to prepare students for challenging careers, post-secondary education and lifelong learning in a diverse society.

9.5 (9.4) Learning Communities for School Success Program (LCSSP) Grant Report (BERGER) – INFORMATION

Nick Berger, Senior Director, Student Programs, presented on the Learning Communities for School Success Program (LCSSP) Grant. As part of the LCSSP, the CCCOE is responsible for sharing with the local governing board and community information about the grant funding and expenditure plan. The grant supports evidence-based, non-punitive programs and practices to keep the state's most vulnerable students in school. CCCOE is currently in the last year of the three-year grant and shares funding with John Swett Unified School District as the lead reporting agency.

9.6 (9.5) Consider Adoption of Resolution #02-22/23 Authorizing the Spending of Education Protection Account Funds for the Fiscal Year 2022-23 for Golden Gate Charter School (PORTERFIELD) – ACTION

Pursuant to Article XIII, Section 36 of the California Constitution, school districts, charter schools, county offices of education and community college districts are required to determine how the monies received from the Education Protection Account (EPA) are spent in the school(s) within its jurisdiction, provided that the governing board makes the spending determinations in an open session of a public meeting and adopts a resolution approving the spending of the EPA funds. Denise Porterfield, Deputy Superintendent, presented the resolution which states that the County Office of Education anticipates EPA funding in the amount of approximately \$8,934. These funds will be used to support Golden Gate Charter School programs. To meet the requirements of the law, Board Resolution #02-22/23 is being presented at this public meeting to reflect that provisions of Proposition 30 are met.

Action: Adopt resolution as presented.
Motion by Annette Lewis, second by Mike Maxwell

Yes: Sarah Butler, Consuelo Lara, Annette Lewis, Mike Maxwell

Absent: Anamarie Avila Farias

No: None

Final Resolution: Motion passes

9.7 (9.6) Consider Adoption of Resolution #02-22/23 Authorizing the Spending of Education Protection Account Funds for the Fiscal Year 2022-23 for Court Schools (PORTERFIELD) – ACTION

Pursuant to Article XIII, Section 36 of the California Constitution, school districts, charter schools, county offices of education and community college districts are required to determine how the monies received from the Education Protection Account (EPA) are spent in the school(s) within its jurisdiction, provided that the governing board makes the spending determinations in an open session of a public meeting and adopts a resolution approving the spending of the EPA funds. Denise Porterfield, Deputy Superintendent, presented the resolution which states the County Office of Education anticipates EPA funding in the amount of approximately \$11,364. These funds will be used to support Court School programs. The transfer of EPA funds will offset Other Purpose revenue. To meet the requirements of the law, Board Resolution #03-22/23 is being presented at this public meeting to reflect that provisions of Proposition 30 are met.

Action: Adopt resolution as presented.

Motion by Annette Lewis, second by Mike Maxwell

Yes: Sarah Butler, Consuelo Lara, Annette Lewis, Mike Maxwell

Absent: Anamarie Avila Farias

No: None

Final Resolution: Motion passes

9.8 (9.7) Contra Costa County Office of Education 2021-22 Unaudited Actuals Reports (PORTERFIELD) – INFORMATION

Denise Porterfield, Deputy Superintendent, gave an update on the 2021-22 Unaudited Actuals Financial Report for the Contra Costa County Office of Education. The unaudited actuals are a statement of all the revenues and expenditures of the county office of the preceding year. The unaudited actuals are the basis for the financial statement as part of the annual audit report which will be brought to the Board at the January 2023 meeting.

9.9 (9.8) Consider the Adoption of Resolution #09-22/23 to Establish the Appropriations Limit on Proceeds of Taxes, Gann Limit, for 2021-22 and for the Estimated 2022-23 (PORTERFIELD) – ACTION

Denise Porterfield, Deputy Superintendent, presented the Gann Limit calculations showing adjusted Appropriations Limit and the appropriation subject to limit for the 2021-21 fiscal year. For the year 2021-22, the Contra Costa County Office of Education is in compliance with the Gann Limit. The estimated 2022-23 Gann Limit is \$2,866,703. The Gann Limit calculation requires the submission of information from all school districts in Contra Costa County.

Action: Adopt resolution as presented.

Motion by Annette Lewis, second by Mike Maxwell

Yes: Sarah Butler, Consuelo Lara, Annette Lewis, Mike Maxwell

Absent: Anamarie Avila Farias

No: None

Final Resolution: Motion passes

9.10 (9.9) Literacy Intervention at Court Schools (BUTLER) – DISCUSSION

Board members discussed information that they wanted for the next CCCOE literacy update. Some of the questions they would like answered are: Are the students reading at grade level; what is being done and what are the interventions; what has been the growth; why assessments are only every 90 days; what the best practices for teaching literacy in court schools are; and how are those being incorporated at the court schools. Periodically provide updates on the growth of the reading levels acknowledging the length of time students (30 or 60 days) are in the program.

9.11 (9.10) Policy Standing Committee: First Reading & Review (MACKEY) – INFORMATION

Superintendent Lynn Mackey presented policies for first reading and review that were approved by the Policy Committee on September 14, 2022. The following policies were updated to reflect newly proposed procedures and guidelines as

outlined by CSBA: BP 5113.1 – Chronic Absence and Truancy, SP 5113.1 – Chronic Absence and Truancy. The following policy was approved for elimination: BP 5111 – Admissions Into School Programs.

Superintendent Mackey also provided an update and review of the CCC BOE’s policy review process. There have been 33 policy updates since January 2020 from the CSBA quarterly updates. In addition, the Personnel (4000s) and Business and Non-Instructional Operations policy have been updated since 2020.

9.12 (9.11) CCBE Conference Update (LARA/LEWIS) – INFORMATION

Trustee Consuelo Lara and Annette Lewis reported on the California County Board of Education (CCBE) Conference held on Sept. 9-11, 2022. Trustee Lara reported there was an emphasis on mental health for students, teachers and staff. The County Trustee Handbook – “A Guide to Shared Governance for County Boards of Education” is being updated with the final copy being released in December at the CSBA AEC Annual Conference. A notable seminar was on County Offices as a Catalyst for Climate-Ready Schools having climate literacy programs tied in with the county office programs. Trustee Lewis attended the CCBE Board meeting and highlighted interesting workshops, including one discussing COEs as a catalyst for climate ready schools. Trustee Lewis’ full report is attached at the end of the minutes.

9.13 (9.12) CSBA Pre-Conference Activities - Board Presidents Workshop (BUTLER) – ACTION

Approve attendance for Board member Consuelo Lara to attend the CSBA Board Presidents Workshop on Wednesday, Nov. 30 in San Diego, and necessary expenses. This is a Pre-Conference activity and is not included in the registration for the CSBA Annual Conference scheduled for Dec. 1-3. The registration fee for the Board Presidents Workshop is \$425, including breakfast and lunch before Nov. 10.

Action: Approve attendance for Trustee Consuelo Lara to the CSBA Board Presidents Workshop and necessary expenses.

Motion by Sarah Butler, second by Annette Lewis

Yes: Sarah Butler, Consuelo Lara, Annette Lewis, Mike Maxwell

Absent: Anamarie Avila Farias

No: None

Final Resolution: Motion passes

9.14 (9.13) Governance Calendar (BUTLER) – ACTION

President Butler presented a draft of the governance calendar which included updates to the 2018 calendar. The calendar is a guide for planning purposes only.

Action: Adopt resolution as presented.

Motion by Consuelo Lara, second by Mike Maxwell

Yes: Sarah Butler, Consuelo Lara, Annette Lewis, Mike Maxwell

Absent: Anamarie Avila Farias

No: None

Final Resolution: Motion passes

10. SUPERINTENDENT'S UPDATE

10.1 Superintendent's Update

- CCCOE was awarded the Reading Instruction and Intervention Grant, a \$9 million grant. Our agency will serve as lead for the entire state providing professional development with Marsha Tokuyoshi, Senior Director, and the Educational Services team taking the lead.
- MC3 program, a collaboration with building and trade, is running in the detention centers was launched at Juvenile Hall. Trustee Anamarie Avila Farias was instrumental in getting the program approved for Juvenile Hall.
- Successful WASC accreditation for the Contra Costa Adult Schools and the ROP program will have its accreditation in two weeks.
- Along with Nick Berger, met with Care Solace, a program we collaborate with for our districts, is now available to staff to be able to access mental health resources. Received an update on the use of the services county-wide and within our agency.
- Spoke at Career Readiness class at Freedom High School

- Attended the Rainbow Community Center's new office opening
- Attended the California County Superintendent's quarterly membership meeting where the focus was on whole-child strategies, UPK and community schools model
- Hosted district superintendents for professional development at Stewart Building
- Participated in CCC DA Becton's Reimagining Justice collaborative
- Met with Children Now to talk about student mental health in the county
- Continuing to attend the statewide Safe Schools meeting and share information with our districts and private schools
- Leadership council, all supervisors and manager-level staff are participating in a year of intensive racial equity training with Epoch training which has started
- Attended Library Commission meetings. Library has provided amazing resources for K12 education. Tutoring is available for any student in the county with a library card
- Attended Community Corrections partnership meeting
- Attended the 2022-23 Contra Costa County Teacher of the Year event
- Campus school visits to Liberty, Mauzy, Marchus and court school campuses
- Started one-on-one meetings with Board members and the districts
- Attended a Meals on Wheels event
- Attended a statewide fentanyl event and will be providing resources to the districts in collaboration with the County Health Department
- Met with Juvenile Justice Coordinating Council to discuss finalizing the process of bringing the students from DJJ who have been sentenced to a state facility and are being transferred to a county facility and will be implementing programs for them

11. CABINET MEMBER UPDATES

11.1 Cabinet Member Updates

Norma Gonzales, Assistant Superintendent, Human Resources – HR staff has been busy on-boarding new staff and clearing teacher credentials. Conducted a couple of benefits fairs with over 100 employees and offered flu and covid booster shots. As a member of the ACSA HR Council, co-chaired the annual Personnel Institute in Sacramento. Attended the PASSCO (Personnel Administrative Services Steering Committee) workshop where the HR staff from around the county attend. Held first in-person CPAC meeting for the school year for district HR leaders, including topics wellness, legal updates and discussions on negotiations. New member of the leadership team Rachel Lecy, Administrator for Special Education and Court and Community Schools. HR staff will host a classified and substitute Job Fair on Nov. 27, 3-5 p.m. with several school districts to help fill much-needed positions throughout the county.

12. BOARD UPDATES

12.1 Board Standing Committee Reports

Charter Committee (LARA) – nothing to report

Policy Committee (FARIAS) – Committee presented policies for first review (Agenda Item #9.10). Next meeting scheduled for Tuesday, Oct. 25 at 11 a.m.

Budget Committee (MAXWELL) – nothing to report

Legislative Committee (LEWIS) – Summarized at the meeting which of the bills followed have been signed. See attached for full report.

12.2 Board Member Updates

Trustee Mike Maxwell:

Attended PTA group meetings in the San Ramon Valley, Lafayette, Moraga and Walnut Creek areas.

Clayton Valley Charter School visit on Oct. 18, 2022

Trustee Annette Lewis:

9/9-11 – CCBE Conference

9/14 – Met with CCBE Planning Committee

9/19 – Visited Rocketship parent group to discuss charter schools in the area

9/22 – Attended Contra Costa County Teacher of the Year event

9/29 – Met with Superintendent Lynn Mackey

10/3 – Attended Legislative Committee meeting

10/4 – Attended CCBE Nominating Committee meeting

10/6 – Visited Invictus School

10/18 – Visited Clayton Valley Charter High School

Trustee Consuelo Lara:

On Sept. 22, attended Contra Costa County Teacher of the Year event

El Cerrito High School had a College and Career Fair

CCBE Conference

Met with Richmond High School girls group she mentors to visit Contra Costa Community College

Trustee Sarah Butler:

Attended Interdistrict Transfer meetings

Attended Expulsion Appeal meeting

On Sept. 21, attended the Mt. McKinley Site Council meeting

On Sept. 22, attended Contra Costa County Teacher of the Year event

Attended local school board candidate forums

12.3 Future Agenda Items

Action item to adopt a hybrid meeting model

Literacy intervention at court schools update

Anti-book banning resolution

13. EVENTS CALENDAR

13.1 Calendar of Events 2022

School Site Council meetings have been added to the events calendar.

CSBA Annual Education Conference is Dec. 1-3.

13.2 Board Meeting Dates 2022

Next meeting is scheduled for November 16.

14. ADJOURNMENT

14.1 The President will adjourn the Board meeting

President Butler adjourned the meeting at 8:36 p.m.

CCBE Conference report

Sept. 9-11, 2022

Trustee Annette Lewis

Participated in the CCBE Board Meeting on September 9.

Discussion focused on how to show the value of the CCBE to County Boards and Offices of Education. Discussion of dues increase that may be proposed at the December meeting. Looking to develop a strategy and message for the national legislation advocacy trips to reflect county board issues and not just the CSBA message that often leaves county board needs out. Bylaws changes regarding removal of officers and filling vacancies discussed for the Saturday meeting. The CCBE Trustee handbook will be launched at the December CSBA Conference with a workshop. The attached version is still just a draft and final changes are to be done this month.

Friday the conference began with an opening Panel of Jack O'Connell, Kevin Gordon, and Barrett Snider the changing landscape due to the impacts of Covid, climate change and impact of funding, home to school transportation and education policy.

I attended County Offices of Education as Catalysts for Climate Ready Schools, presented by Andra Yeghoian (San Mateo), Amity Sandage (Santa Cruz), and Tamara Basepayne (San Joaquin) Discussion was on how the County Office of Education taking the lead on providing high quality Environment Literacy curriculum to the local school districts. Addressing also the needs of changing how we serve students due to current climate changes and infrastructure not sufficient to deal with expected changes.

Saturday began with the General Membership Breakfast meeting with bylaws changes on removing officers and filling positions approved.

Breakout session Roles of County Trustees Defining Shared Governance where the Draft Governance handbook was presented with a program on Shared Governance between Board and Superintendent. This was presented by CCBE Board President, Michael Teasdale (Ventura) and David Patterson (Placer). Discussed was the duties, roles and sharing of governance.

Lunch speaker was Matt Navo, Executive Director for California Collaborative for Educational Excellence. Discussion was on Transformative Change. Takeaways stop competing with others compete with yourself for be the best you can be. Boots on the ground solutions and ownership of change as opposed to top down direction. Also discussed how Charter vs Public vs private needs to not be a battle, but work together to provide best education to all students.

Next break out was Connecting in Conflict: How to Resonate with Challenging Colleagues and Maintain Productive Relationships with other Elected Leaders. Presented by Kimberly Vallee (Sonoma) and Lisa Wittke Schaffner (Sonoma) They discussed the psychology of trust and what needs to be present to trust. How to deal with colleagues who make it difficult to work with them. And what to do when all attempts fail.

I was not able to attend an afternoon session because I had the CCBE Nominating Committee meeting

Sunday morning breakfast was Getting it together while we all get together. Panel included Ken Berrick of Seneca Family Agencies, Elizabeth Estes of Atkinson, Andelson, Loya Ruud and Romo, Jason Okonofua professor at UC Berkeley, Katherine Lucero director at office of your and community restoration and Toby Ewing with Mental Health Service Oversight and Accounting Commission. Discussion centered on Challenges and opportunities in serving students in the juvenile justice system, how to prevent recidivism by providing elevated services. This includes integrated mental health services to students and incorporating services for families of the youth. Setting them up for success once they leave system and support after they leave our schools.

This was much like the game plan for success that was presented this evening.