

SAN DIEGO COUNTY BOARD OF EDUCATION
Minutes of the Regular Board Meeting, August 10, 2016, 4:00 PM
Ernest J. Dronenburg, Jr. Board Room
(Joe Rindone Regional Technology Center)
6401 Linda Vista Road, San Diego, CA 92111

Attendance Taken at 4:00 PM:

Present:

Mark Anderson
Debbie Beldock
Guadalupe Gonzalez
Peg Marks
Alicia Munoz
Gregg Robinson
Rick Shea

1. OPENING PROVISIONS

a. Call to Order and Roll Call

b. Pledge of Allegiance to the Flag

c. Introduction of Student Representative on County Board of Education

1. Student Representative for Momentum Learning

Minutes:

Momentum Learning's student representative for the August 10 meeting was Deborah Flores from Monarch School. Principal Joseph Wiseman introduced Deborah to the Board. Board Member Gregg Robinson presented the award.

d. Approval of Agenda

President Robinson asked for a motion to approve consent item 2g and to move recognition item 4a.

Motion Passed: Passed with a motion by Alicia Muñoz and a second by Rick Shea.

Yes Mark Anderson
Yes Guadalupe Gonzalez
Yes Alicia Munoz
Yes Gregg Robinson
Yes Rick Shea

Minutes:

Approval of consent item 2g: Resolution Honoring Staff Retirement, David Liss.

4. RECOGNITIONS AND PRESENTATIONS

a. Recognition: Resolution Honoring Staff Retirement, David Liss

Minutes:

The County Board of Education presented a resolution of service to David Liss, Graphic Communications Manager, who will retire from service at the San Diego County Office of Education on August 31, 2016, after 37 years of service. It has been the practice of the County Office of Education to present resolutions for the services of retired employees.

1. OPENING PROVISIONS

d. Approval of Agenda

Board member Mark Anderson made a motion to pull item 5j and table it for further review. No second.

Motion Failed: Failed for lack of a second.

Board President Robinson asked for a motion to approve the agenda with changes noted (approve consent item 2g and to move recognition item 4a).

Motion Passed: Passed with a motion by Rick Shea and a second by Alicia Muñoz.

Yes Mark Anderson
Yes Guadalupe Gonzalez
Yes Alicia Munoz
Yes Gregg Robinson
Yes Rick Shea

e. Public Comment - Agenda and Non-Agenda Items

Minutes:

There were 33 public comments.

2. APPROVAL OF CONSENT ITEMS

Motion Passed: Passed with a motion by Alicia Muñoz and a second by Mark Anderson.

Yes Mark Anderson
Yes Guadalupe Gonzalez
Yes Alicia Munoz
Yes Gregg Robinson
Yes Rick Shea

a. Approval: Minutes of Special Meeting, Superintendent's Annual Evaluation June 08, 2016

- b. Approval: Minutes of Regular Meeting July 13, 2016**
- c. Approval: Minutes of Special Meeting July 13, 2016**
- d. Approval: Minutes of Special Meeting July 17, 2016**
- e. Approval: Real Property Lease Agreements**
- f. Approval: Resolution Honoring Staff Retirement, Cynthia Free**
- h. Approval: Grant Funds for the Pathways to Justice Career for Youth (PJC) Grant**
- i. Approval: California Volunteers AmeriCorps Grant Funds**

3. ASSOCIATIONS COMMENTARY

Minutes:

Katherine Anderson, Chapter Public Relations Officer, CSEA, provided the Board with an update on chapter business.

Katy Kellers read a letter on behalf of Mike Reese, CSEA Chapter President, and shared an example of the collaborative relationship that exists at SDCOE between management and the classified association.

Tammy Reina, President, Association of Educators, shared the perspective of the certificated employees of the SDCOE, who respect and appreciate the Board's work on behalf of the County Office.

4. RECOGNITIONS AND PRESENTATIONS

b. Recognition: Outstanding Student in Momentum Learning

Minutes:

Joseph Wiseman, Principal, presented Julianna Campos, Monarch School, for recognition by the San Diego County Board of Education for outstanding progress and achievement.

c. Presentation: Science Technology Engineering & Math - STEM Learning in San Diego

Minutes:

Melinda Shacklett, Coordinator, Mathematics, provided highlights from a week of intensive professional learning as part of a program for middle and high school math and science teachers through STEM Learning in San Diego. This represents a partnership between the San Diego County Office of Education, University of California San Diego, Scripps Institute of Oceanography and K-12 Alliance that is funded by the California Department of Education through the competitive Mathematics and Science Partnership

(CaMSP) grant. The summer institute provided an opportunity for secondary math and science teachers to work closely with research scientists from Scripps Institute of Oceanography to experience science phenomena as a learner. The summer institute will be followed by on-line coursework, two Saturday institutes and on-going professional learning through Lesson Studies that continue to strengthen teacher learning and supports student achievement and success with 21st century skills.

5. ACTION ITEMS

a. PUBLIC HEARING: Determination of Sufficient Textbooks and/or Instructional Materials for San Diego County Office of Education Programs for the 2016-17 School Year

Board president Robinson opened the public hearing at 5:10 p.m. He called Wendell Callahan, Senior Director, Momentum Learning, for opening remarks. There was no public comment. The public hearing was closed at 5:12 p.m.

Motion Passed: Adopt a resolution certifying sufficient textbooks and/or instructional materials exist for the 2016-17 school year. Passed with a motion by Rick Shea and a second by Mark Anderson.

Yes Mark Anderson
Yes Guadalupe Gonzalez
Yes Alicia Munoz
Yes Gregg Robinson
Yes Rick Shea

Minutes:

Wendell Callahan, Senior Director, Momentum Learning, asked the County Board of Education to certify that it conducted a public hearing on August 10, 2016 to determine that each pupil in the SDCOE schools has sufficient textbooks and/or instructional materials, and adopt a resolution certifying sufficient textbooks and/or instructional materials exist for the 2016-17 school year.

The County Board of Education is required to annually hold a public hearing and adopt a resolution stating whether the Local Educational Agency (LEA) has sufficient instructional materials for students. Education Code Section 60119 requires that local governing boards hold an annual public hearing and adopt a resolution stating whether each pupil in the LEA has sufficient textbooks or instructional materials in reading/language arts, mathematics, science, and history-social science aligned to content standards and consistent with the content and cycles of the curriculum framework adopted by the State Board of Education. The governing board must also make a determination as to whether each pupil enrolled in health and foreign language classes has sufficient instructional materials, and sufficient laboratory equipment for high school science laboratory classes when offered. Data from the recent inventory collected from Momentum Learning and SDCOE Special Education programs established that there are sufficient instructional materials in place for students during the 2016-17 school year.

There is no longer a restricted funding source for instructional material funds. This is one of the former categorical flexibility funds that was folded into the new Local Control Funding Formula (LCFF) and will be funded from the unrestricted general fund.

b. Approval: SDCOE Momentum Learning Local Educational Agency Plan (LEAP)

Motion Passed: Adopt the updated LEAP which will be submitted to the California Department of Education with the Assurance page contained therein. Passed with a motion by Rick Shea and a second by Alicia Muñoz.

Yes Mark Anderson
Yes Guadalupe Gonzalez
Yes Alicia Munoz
Yes Gregg Robinson
Yes Rick Shea

Minutes:

Wendell Callahan, Senior Director, Momentum Learning, asked the County Board of Education to adopt the updated LEAP Addendum, which will be submitted to the California Department of Education with the Assurance page contained therein.

SDCOE was identified in 2013 by the California Department of Education (CDE) for Program Improvement (PI). All Year 3 PI Local Educational Agencies are required by No Child Left Behind (NCLB) to periodically update the Local Education Agency Plan (LEAP). Although the new Every Student Succeeds Action (ESSA) law will supersede NCLB, SDCOE remains under current requirements until that time. The SDCOE LEAP was previously updated in 2013, when SDCOE entered Program Improvement. In preparation for the planned integration of the Local Education Agency Plan (LEAP) with the Local Control Accountability Plan (LCAP), we have aligned our LEAP Update with our 2016-19 SDCOE LCAP. The updated LEAP is also part of preparation for a Federal Program Monitoring review by the California Department of Education that is taking place during September, 2016.

The Local Education Agency Plan (LEAP) is a requirement for SDCOE to continue to receive Federal Funds including Title I and Title III, totaling approximately \$4.2 million.

c. Approval: Substitute Easement and Purchase Offer Assessor's Parcel 136-210-06

Motion Passed: Approve the SDG&E proposal and compensation offer. Passed with a motion by Mark Anderson and a second by Alicia Muñoz.

Yes Mark Anderson
Yes Guadalupe Gonzalez
Yes Alicia Munoz
Yes Gregg Robinson
Yes Rick Shea

Minutes:

Lora Duzyk, Assistant Superintendent, Business Services, asked the County Board of Education to approve the SDG&E proposal and compensation offer.

SDG&E is proposing to replace existing wooden power line poles with fire-resistant, weatherized steel poles that closely resemble wood at Camp Fox and offers to compensate us for a wider easement.

SDG&E currently has an easement at Camp Fox through which a 69kV electric transmission line runs. The transmission line is currently mounted on wooden poles. They propose replacing the wooden poles with steel poles that are fire-resistant and weatherized. In addition, they seek a slight modification to the alignment of the existing 12kV electric distribution easement that services our property. They will also be replacing some of the 12kV line poles requiring an amendment to that easement.

The pole replacement will increase safety and reliability of the electric infrastructure that services the area.

The basis for the offered compensation is derived from an appraisal performed by an independent MAI-designated appraiser and appears reasonable.

A total of \$6,000.00 will be paid by SDG&E for the new easement.

d. Approval: Appointment to Poway RDA Successor Agency Oversight Board

Motion Passed: Appoint Kamram Azimzadeh to the Poway RDA Successor Agency Oversight Board. Passed with a motion by Mark Anderson and a second by Alicia Muñoz.

Yes Mark Anderson
Yes Guadalupe Gonzalez
Yes Alicia Munoz
Abstain Gregg Robinson
Yes Rick Shea

Minutes:

Lora Duzyk, Assistant Superintendent, Business Services, asked the County Board of Education to approve an appointment to the Poway RDA Successor Agency Oversight Board in compliance with AB X1 26.

The County Board of Education has the responsibility under AB X1 26 to make an appointment to each Oversight Board that will oversee the work of a Successor Agency in San Diego County. There are 17 successor agencies in San Diego. On February 28th, 2012, the Board approved recommended criteria for use by participating districts in putting forth nominees. On March 28, 2012, the board completed the appointments to all 17 agencies. Recently, we have received a resignation from the appointee for the Poway Successor Agency, Malliga Tholandi, due to retirement from her School District position. A conference call was conducted with Poway USD, the only participating K-12 district other than SDCOE and a unanimous agreement was reached on the nominee to recommend to the County Board of Education. The recommendation is as follows:

Poway RDA: Kamram Azimzadeh, Interim Associate Superintendent, Poway Unified School District.

e. Adoption: Resolution for Temporary Interfund Transfers of Special or Restricted Fund Moneys

Motion Passed: Approve the resolution to temporarily transfer funds from the various County Office funds, if necessary to meet the 2016-17 cash requirements of the County Office. Passed with a motion by Rick Shea and a second by Alicia Muñoz.

Yes Mark Anderson
Yes Guadalupe Gonzalez
Yes Alicia Munoz
Yes Gregg Robinson
Yes Rick Shea

Minutes:

Lora Duzyk, Assistant Superintendent, Business Services, asked the County Board of Education to approve the resolution to temporarily transfer funds from the various County Office funds, if necessary to meet the 2016-17 cash requirements of the County Office.

The County Board of Education is asked to adopt the resolution requesting to temporarily transfer funds between the various County Office funds for cash flow purposes for fiscal year 2016-17, if necessary as recommended by the County Superintendent of Schools.

The County Superintendent of Schools is requesting the resolution be adopted by the County Board of Education to temporarily allow the interfund transfers of cash between the various County Office funds, if necessary, to meet the cash requirements of the office.

Education Code section 42603 provides that County Offices may direct moneys held in any fund or account may be temporarily transferred to another fund or account of the county office for payment of obligations. Currently our office is not anticipating a shortfall in cash; however, the approval of this resolution will ensure all the county office funds maintain a positive cash balance in the event any unforeseen adjustments are made at the State level.

f. Acceptance and Adoption: Specified Board Policies for Second Reading

Motion Passed: Accept the specified Board Policies for second reading and adoption. Passed with a motion by Guadalupe Gonzalez and a second by Rick Shea.

Yes Mark Anderson
Yes Guadalupe Gonzalez
Yes Alicia Munoz
Yes Gregg Robinson
Yes Rick Shea

Minutes:

Lora Duzyk, Assistant Superintendent, asked the County Board of Education to accept the specified Board Policies for second reading and adoption.

The County Board of Education is asked to approve for second reading and adoption Board Policies specified in Attachment 1.

At the July 13, 2016 Board meeting, the Board Policies listed in Attachment 1 were presented and accepted for first reading. These policies were posted online for staff comments and/or recommendations in accordance with established procedures, and no input was received.

g. Consideration of Board Bylaws 9000 and 9125 for Second Reading and Adoption

Motion Failed: Accept the specified Board Bylaws for second reading and adoption. Failed with a motion by Guadalupe Gonzalez and a second by Rick Shea for Board discussion.

No Mark Anderson
Yes Guadalupe Gonzalez
Yes Alicia Munoz
No Gregg Robinson
No Rick Shea

Minutes:

The County Board of Education is asked to consider proposed revisions to Board Bylaw 9000, Role of the County Board of Education – Duties and Powers, and Board Bylaw 9125, Attorney.

At the July 13, 2016 Board meeting, proposed revisions to Board Bylaw 9000, Role of the County Board of Education – Duties and Powers, and Board Bylaw 9125, Attorney, were presented for first reading. At that meeting, the Board was asked to consider two options; the Board voted to pursue both courses of action as follows:

1. The Board accepted Board Bylaws 9000 and 9125 for first reading and posting online for staff comments and/or recommendations. No input was received during the posting period. The Bylaws are presented at this meeting to be considered for second reading and adoption.
2. The Board agreed to conduct a comprehensive review and update of all County Board of Education bylaws in collaboration with CSBA legal staff. At that time CSBA attorney Robert Tuerck, Director, Policy Development & Maintenance Services, will facilitate the update of County Board of Education Bylaws based on the county office-specific sample board bylaws published by CSBA in 2016.

h. Establishment of Date for Board Bylaw Workshop to be Conducted by CSBA

Motion Passed: Established September 29, 2016 at 1 p.m. as a date for a Board Bylaw Workshop to be conducted by CSBA. Passed with a motion by Rick Shea and a second by Mark Anderson.

Yes Mark Anderson
Yes Guadalupe Gonzalez
Yes Alicia Munoz
Yes Gregg Robinson
Yes Rick Shea

Minutes:

President Robinson asked the County Board of Education to discuss and establish a date for a Board Bylaw Workshop to be conducted by CSBA.

i. Approval: Interim Superintendent

Motion Failed: Approve establishment of an interim superintendent. Failed with a motion by Alicia Muñoz and a second by Guadalupe Gonzalez for Board discussion.

No Mark Anderson

Yes Guadalupe Gonzalez

Yes Alicia Munoz

No Gregg Robinson

No Rick Shea

j. Approval: Contract for Board Legal Services

Motion Passed as Amended: Leal-Trejo contract to be amended to clarify-- not as a general counsel but as a single issue item only, to be terminated with a 30-day notice and does not extend in to next year. Passed with a motion by Alicia Muñoz and a second by Gregg Robinson.

No Mark Anderson

Yes Guadalupe Gonzalez

Yes Alicia Munoz

Yes Gregg Robinson

Yes Rick Shea

6. INFORMATION ITEMS - NO ACTION

a. Quarterly Report of Investments Held

Minutes:

Lora Duzyk, Assistant Superintendent, Business Services, reported that Government Code Section 53646 states that the treasurer or chief financial officer may render a quarterly report of investment disclosures to the chief executive officer, internal auditor, and legislative body. The report is to address amounts and types of investments held, the agency responsible for the investment decisions, and the sufficiency of the investment pool. It is a matter of disclosure only, and no action is required.

The investment pool continues to be very stable and is operating under the approved County Board of Supervisors investment policy. The County Treasurer, County Board of Supervisors, and Oversight Committee (Lora Duzyk is a member) continue to monitor all investment pool activities. In order of priority, pool priorities continue to be preservation of principal, cash liquidity, and interest on deposits.

b. Legislative Report

Minutes:

Deputy Superintendent Beldock discussed key issues affecting education. A copy of the Sacramento report is posted with the online agenda materials for this meeting and can be accessed at <http://www.sdcoe.net/Board/Pages/Agendas-and-Minutes.aspx>

c. Performance Excellence Survey

Minutes:

Due to the time constraint, this item will be brought back to the Board on the September 14th, 2016 board meeting.

d. Momentum Learning Vouchers

Minutes:

Due to the time constraint, this item will be brought back to the Board on the September 14th, 2016 board meeting.

7. BOARD REPORTS

a. Communications from Board Members

Minutes: Some Board Members reported on educational events they attended throughout San Diego County.

8. FUTURE AGENDA ITEMS

9. DATE OF NEXT MEETING

a. Regular Board Meeting, Wednesday, September 14, 2016 at 6:00 p.m., Joe Rindone Regional Technology Center

10. ADJOURNMENT

Motion Passed: Passed with a motion by Guadalupe Gonzalez and a second by Alicia Muñoz.

Yes Mark Anderson

Yes Guadalupe Gonzalez

Yes Alicia Munoz

Yes Gregg Robinson

Yes Rick Shea

Minutes:

Meeting adjourned at 7:01 p.m.