Meeting Date: December 9, 2020
Meeting Location: Held Remotely
Board Members Present: Susan Alvaro, Hector Camacho, Jr., Jim Cannon, Beverly Gerard, Rod Hsiao, Ted Lempert
Board Members Absent: Joe Ross
Staff Officials Present: Nancy Magee, Secretary
Jennifer Perna, Executive Assistant
Other Staff Present: Niambi Clay, Claire Cunningham, Jennifer Frentress, Jeneé Littrell, Patricia Love, Lori Musso, Anjanette Pelletier, Denise Porterfield, Alyson Suzuki
Youth Commissioner Liaison Present: Allyson Chan

1. OPENING ITEMS

A. Call to Order

Board President Hector Camacho, Jr. called the meeting to order at 6:03 p.m. He announced the County Board was conducting the meeting as a webinar in light of the current health emergency and the Governor’s March 17, 2020, Executive Order N-29-20 suspending certain provisions of the Brown Act to allow governing boards to conduct meetings through remote access. Board President Camacho also noted in the effort to increase accessibility and opportunity for community engagement, simultaneous interpretation of the meeting was being implemented in Spanish using Zoom technology through the end of Public Comment, and would continue further into the meeting if people were utilizing the channel.

B. Approval of Agenda

After a motion by Ms. Gerard and a second by Mr. Hsiao, the Board approved, by a vote of six in favor (Alvaro, Camacho, Cannon, Gerard, Hsiao, and Lempert), and one absent (Ross), by roll call vote, the December 9, 2020, agenda as presented.
2. **PUBLIC COMMENT**

There were no persons wishing to address the Board.

3. **EMPLOYEE OF THE MONTH**

   A. **December 2020 Employee of the Month, Thurein Htun, Accountant, Internal Business Services, Business Services Division**

   Board President Camacho recognized the December 2020 Employee of the Month, Thurein Htun, Accountant, Internal Business Services, Business Services Division. Board President Camacho congratulated Mr. Htun on behalf of the Board and noted his check and commemorative token would be delivered soon after the meeting date.

4. **PRESENTATION TO OUTGOING BOARD MEMBER ROD HSIAO**

   A. **Presentation to Outgoing Board Member Rod Hsiao**

   Board President Camacho shared the Superintendent and Board would next recognize Board Member Rod Hsiao as he concluded his term on the Board after an impactful 14 years of service. Board Member Camacho noted there was an amazing line-up of state and local leaders in attendance to honor Mr. Hsiao and his legacy. Board President Camacho called on the following speakers who shared their personal and professional reflections of Mr. Hsiao:

   - Scott Wiener, California State Senator
   - Kevin Mullin, California State Assemblymember and Speaker Pro Tempore
   - Phil Ting, California State Assemblymember
   - Marc Berman, California State Assemblymember
   - Dave Pine, San Mateo County Supervisor
   - Carole Groom, San Mateo County Supervisor
   - Clayton Koo, Jefferson Elementary School District Trustee
   - Anne Campbell, Former San Mateo County Superintendent of Schools
   - Alyson Suzuki, Executive Director, Early Learning Support Services, SMOCE, and son, Koji Suzuki
   - Mallory Dwinal, Co-Founder and CEO, Oxford Day Academy
   - Janice Pellizzari, Special Education Teacher, SMOCE, and San Mateo County Educators Association (SMCEA) Union President

   Superintendent Magee said the night was bittersweet. She shared she has been in San Mateo County for 10 years and has never known SMCOE without Trustee Hsiao. Superintendent Magee showed a picture of Mr. Hsiao serving as Board President cutting the ribbon for the opening of the playground at the Anne Campbell Center for Children and Families. She said the playground, which was supported by the Board, has provided for outside play, social engagement, and child development for students with unique needs.
PRESENTATION TO OUTGOING BOARD MEMBER ROD HSIAO (continued)

Superintendent Magee described how Mr. Hsiao’s service has made a tangible difference for students and families in San Mateo County. His advocacy for the Outdoor Education program has strengthened the way in which all students are served and fed the vision of the program’s future.

Superintendent Magee emphasized how Mr. Hsiao’s leadership has centered on innovation. He does not settle for the status quo and is always seeking to connect the dots in explicit ways, especially between schools and families.

Superintendent Magee discussed the recognition plaques received in honor of Mr. Hsiao, including a notation of Mr. Hsiao’s accomplishments in the Congressional Record at the request of Congresswoman Jackie Speier and a Board of Supervisors’ resolution in his honor. She said these recognitions can serve as genuine reminders of the leadership he provided for SMCOE students and programs and represent the collegiality and professionalism he extended to Board colleagues.

Superintendent Magee ended by sharing that Mr. Hsiao has much more to give to the community, as well as to children and youth. She personally thanked Mr. Hsiao and all his family for all they have sacrificed and provided to SMCOE over the years.

Ms. Gerard shared she wanted Mr. Hsiao to know she feels honored to have served on the Board with him. He brought many new ideas and perspectives to what the Board has done for many years, and when he came onto the Board issues were considered from an entirely different perspective. Ms. Gerard described his contributions as invaluable and shared feeling like she has watched Mr. Hsiao grow up noting that when he joined the Board he was single and she and her colleagues had watched him get married and raise a family. Ms. Gerard acknowledged Mr. Hsiao’s two darling sons and how she has enjoyed the time she has been able to spend with the family. She expressed heartfelt thanks and gratitude for all he has done and for allowing her to be part of his life as a friend. Ms. Gerard wished Mr. Hsiao the best and shared she could not begin to express how much he will be missed. She thanked him for everything.

Mr. Cannon shared he has felt emotional over the past few weeks and knew it would be difficult to speak extemporaneously, so he had some prepared remarks. He then read his remarks. Mr. Cannon expressed feeling fortunate that SMCOE is associated with some of the best people anywhere, and described Mr. Hsiao in the top rank of that group. He said Mr. Hsiao is an outstanding Board member, family person, colleague, and friend. Mr. Cannon shared that those who know Mr. Hsiao are blessed and praised Mr. Hsiao as positive, communicative, dependable, personable, organized, committed, and motivational.

Mr. Cannon described that Mr. Hsiao always functioned as a member of the team, and realizing the way he conducted himself had dramatic consequences for students, staff, and the entire county, acted accordingly. Mr. Hsiao respected a diversity of staff and adult styles and said this allowed him to focus on being a great server of all students and adults in the county. He said Mr. Hsiao committed the time and energy necessary to be effective, attended trainings and workshops and devoted his energy to issues confronted over the years. Mr. Cannon emphasized when there were challenges at SMCOE, Mr. Hsiao’s participation, leadership, intelligence, calm demeanor, and sense of humor helped ensure successful outcomes that allowed the organization to carry on and improve the
PRESENTATION TO OUTGOING BOARD MEMBER ROD HSIAO (continued)

educational program for all students. He loved working with Mr. Hsiao and he will miss him greatly. Mr. Cannon expressed that Mrs. Cannon was also sad to see his service come to an end as well, and how they have both gained so much respect for Mr. Hsiao through years of knowing and working with him. He expressed personal gratitude for what Mr. Hsiao did for everyone and thanked Mr. Hsiao for his service.

Ms. Alvaro said she also made notes because she was afraid she would fall apart if she didn’t. Ms. Alvaro emphasized the word “calm” and described Mr. Hsiao’s calm, thoughtful decision-making, for which he has been a model. She stated he is one of the best Board members and elected officials she has ever had the privilege to work with. She described Mr. Hsiao’s leadership on the Outdoor Education and Environmental Educational subcommittees as extraordinary and shared she didn’t know what she would do without him there.

Ms. Alvaro recalled attending a California County Boards of Education (CCBE) conference, and at the traditional Board/Superintendent dinner, Mr. Hsiao let everyone know he was planning to get married to a wonderful woman. Ms. Alvaro described how everyone was so happy because they had watched the relationship develop. Then along came Anthony, who she remembered as a tiny baby. She recalled Anthony’s first birthday party at Coyote Point, which was also attended by Mr. Hsiao’s parents, who were incredibly proud of him, justifiably so. Ms. Alvaro continued that next along came Timmy, who also attended Board meetings in a baby carrier. The Board watched him grow up and also attended his first birthday party at CuriOdyssey at Coyote Point.

Ms. Alvaro shared the story of Mr. Hsiao running for election in 2006 and inviting him to the Half Moon Bay ribbon cutting for the new senior housing complex. She described Mr. Hsiao arriving late because he and his wife had apparently entered a croquet tournament for Alpha Kappa Alpha, and had kept winning and ultimately won the tournament. She emphasized that Mr. Hsiao has become a valued and beloved friend, as well as a trusted colleague. Ms. Alvaro shared her respect for Mr. Hsiao and her hopes that everything shared by the Assemblymembers and Senators about him carrying on in public service are in his mind. She would be behind him every step of the way.

Board President Camacho began by sharing about Mr. Hsiao as a colleague. He stated he was the newest member of the Board and Mr. Hsiao was the first person he met after joining. They got together for coffee and right from the beginning, there was a sense that everything was going to be okay. Board President Camacho expressed that boardsmanship and School Board service can be scary, but Mr. Hsiao’s approach made him feel they were in this together. He recognized the partnership, professionalism, easy-going nature, intelligence, and wit from Mr. Hsiao right away, all qualities that make people such incredible leaders. Mr. Camacho observed that at board meetings Mr. Hsiao’s level of preparation was unmatched. He came to meetings ready to go, knowledgeable about issues inside and out, and prepared with questions that really got to the heart of educating children, in particular, those most vulnerable children in the county. Board President Camacho remarked that Mr. Hsiao always has these children top of mind in every decision made. He emphasized that Mr. Hsiao is the epitome of an educator.

Board President Camacho referred to the professional resolutions and tributes shared about Mr. Hsiao’s county service, and moved to a more personal discussion of the important role of faith in his
PRESENTATION TO OUTGOING BOARD MEMBER ROD HSIAO (continued)

life. He indicated in his faith tradition, two things are important — servant leadership and humility, and he aspires to be a humble servant leader like Mr. Hsiao, who puts the needs of others, particularly those most marginalized, before those of anyone else. That is the kind of service that is special in public leadership roles, but Mr. Hsiao not only has this quality, but models it for all to see. Board President Camacho shared that Mr. Hsiao has made him the leader that he didn’t know he could be, simply through modeling. Beyond that, he is a father and husband, which Board President Camacho will continue to learn from. He thanked Mr. Hsiao, commented that it has been a great ride, and stated he looks forward to the next project.

Mr. Lempert noted the amazing tributes offered in Mr. Hsiao’s honor. He said he has never seen a group of legislative county leaders say thank-you in such a personal and heartfelt manner. Mr. Lempert shared that Mr. Hsiao is a special person and leader, and the public servant that all public servants should be. He is a role model in that the work is not about him, but about service to the students and community. He said Mr. Hsiao does his homework, works hard, doesn’t worry about winning or losing, does the right thing, and stays focused on what is most important. Mr. Lempert shared some of his favorite Board memories that involve getting together socially and getting to see Mr. Hsiao with his family. He shared that Mr. Hsiao is a model public servant to everyone, and he looks forward to staying in close touch with him. Mr. Lempert emphasized that the best is yet to come from Rod Hsiao, and shared he will miss him greatly.

Board President Camacho reminded everyone that Mr. Ross was unable to attend the meeting but had shared his thoughts in writing. Mr. Camacho proceeded to read Mr. Ross’ statement. Mr. Ross said Mr. Hsiao has been an incredible mentor and colleague and has accomplished more than anyone could imagine on the County Board of Education, whether Outdoor Education, the iZone, or internet connectivity. He described Mr. Hsiao as the most productive and prepared Board member and a good friend and thought partner. Mr. Ross expressed missing Mr. Hsiao already, but knows they will find different ways to work together. He thanked Mr. Hsiao for all that he does.

Board Member Camacho then turned the floor over to honoree Mr. Hsiao. Mr. Hsiao stated he was deeply moved and even though he knew this night was coming, he had been dreading it in many ways. He explained he would not be able to talk without prepared notes, and shared the following parting remarks:

"Let me express my gratitude to all of you by sharing a story. My parents taught me that in Chinese culture, a host never lets their guests leave hungry. My parents learned this lesson early on in their marriage when they were invited by a wealthy man to dine at his home. The host was generous and his staff brought dish after dish until my parents were stuffed. They couldn’t eat another bite, and they were so full, but the dishes kept coming! After a point, the host excused himself to go check on the kitchen. Then a servant came over to whisper to my parents “As long as you sit at the table, the host is obligated to serve you more dishes.”

For 14 years, I’ve been a guest at the San Mateo County Office of Education table and tonight I must leave. It has been an honor to be able to serve the county and it has truly been a rewarding experience. Parting gives me sorrow, but your comments and tributes have filled my heart up. Thank you to all my dear friends and colleagues who came to share your generous comments and reflections. I am touched and grateful for your kind gesture. I see how other school districts
operate around the country and San Mateo County is a special place. Our families are well-served by the collaboration that we have with cities, the counties, and community partners. Thank you all for your service, leadership, and partnership. It has been a privilege to serve with such a talented and committed team at the county office of education. I want to thank the hundreds of staff who gave all their talents and served to their best of their ability. I extend this to all the teachers and administrators at Tower Road, Commodore Drive, Twin Dolphin Drive, and the dozens of other schools where we engage students. To these people, I want to say, you turn on the light bulb for underserved students and help them delight in their own ability to learn, and open up new worlds and opportunities for them that they otherwise would not have.

I want to thank Superintendents Anne Campbell and Jean Holbrook. I enjoyed serving with you both and really want to thank you, Anne especially, for working with me, listening to me and all my crazy ideas, and helping to shape those ideas and put them into action. Superintendent Nancy Magee, you put your heart out there every day and show moral courage. As the leader here, you’ve navigated the county office of education through unprecedented stormy seas. It has been hard work. It takes enormous skill and trust-building to lead and I take my hat off to you. We need your steady hand at the helm and your strong team to successfully serve our kids.

Finally, to my fellow Board members who I love deeply. I came here to serve but in truth I was “fed” in so many ways by learning from you. I would venture to say that we were all “teachable” and learned a lot from each other. I really believe that’s what made us effective as a Board. It was a joy to serve with each of you.

Bev, you were always the conscience of the Board, always putting children’s interests and welfare first. You always stood your ground in a very principled way, even behind closed doors.

Jim, my regret is that I didn’t have you as a principal. I will always have the utmost respect for your unflappable dignity, respectful tone toward others, and ability to always find positive things to say. Sometimes when I’m in difficult situations I have to bite my tongue and ask myself “What would Jim say?”

Susan, I am continually impressed with your indescribably accurate institutional memory, and your clear, thoughtful deliberation on every issue that came before us. Thank you for the heart you put into all your work. The coastside is incredibly blessed to have you representing them.

Joe, you are somewhere over the Atlantic on the way to Sweden, but I want to thank you for wielding your legal acumen always in service to finding a solution. You were a great thought partner, always bringing innovative, out of the box thinking to very complex problems.

Ted, your passion and vigor in debating always opened up our minds to the broader policy implications. Somehow, you always pointed out the principles that would help guide us to the right decision.

Hector, you have distinguished yourself as our esteemed Board president for these past two years. Sadly, I won’t be at the next Board meeting so want to congratulate you on a job incredibly well done. Your commitment to learn how the county office works by serving on nearly every
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PRESENTATION TO OUTGOING BOARD MEMBER ROD HSIAO (continued)

subcommittee, and your unwavering focus on addressing equity is truly outstanding. I know your work will undoubtedly result in systems change. Maybe one day there will even be a “Hector Camacho Walk to School Day.”

I know all of you and I believe in you. I regret having to leave the Board in midst of this COVID crisis. But I won’t be gone entirely. I’ll be staying in the struggle to make learning accessible for all. We’ve made progress but there’s still work to be done, a lot of work to be done. As a final request to my Board colleagues, I call on you to regroup with my successor and pull together to serve a higher purpose. Put kids first, even in this crisis, so that all our kids can engage in authentic learning. A large swath of underserved children and youth are experiencing learning loss and depression. Giving out Chrome books and hotspots isn’t enough, we all know that. What’s needed is love. I heard a child psychologist named Dr. Shefali clearly articulate what every kid needs to feel that they are able to learn, three things – Am I seen? Am I valued? Do I belong? This is a high bar, but for educators and other public leaders this is the work, and I know this is why you chose to serve. Let us remain steadfast to ensure that every student succeeds in San Mateo County.

So, thank you for honoring me like this and for your friendship. Rest assured, even though I’ll be away from this table, I’ll be with you cooking up some delicious and nutritious educational dishes for our county’s children. You are all welcome at my table and you can stay as long as you like. I leave you with my prayers and blessings. Thank you!”

Board President Camacho thanked Mr. Hsiao.

B. Adopt Joint Resolution No. 20-71 Honoring Rod Hsiao for His Service to the San Mateo County Board of Education

Board President Camacho shared as Board President, it was his honor to read the joint resolution in honor of outgoing Board member and colleague, Rod Hsiao out loud.

After Mr. Camacho concluded with the reading a motion for approval was made by Ms. Gerard and a second by Ms. Alvaro. The Board approved, by a vote of five in favor (Alvaro, Camacho, Cannon, Gerard, and Lempert), one abstention (Hsiao), and one absent (Ross), by roll call vote, Joint Resolution No. 20-71 Honoring Rod Hsiao for His Service to the San Mateo County Board of Education.

5. INTRODUCTION OF NEW STAFF

A. Niambi Clay, Executive Director, Equity, Social Justice, and Inclusion, Office of the Superintendent

Superintendent Magee shared it was a great moment to present the new Executive Director, Equity, Social Justice, and Inclusion, Niambi Clay. She described that 2020 has presented challenges around the COVID-19 pandemic, but also the pandemic of structural racism and violence in America. It is important and essential to address the education system to help our children learn and grow up in the world, and to be able to function as productive, diverse citizens who love and respect each other and collaborate as they move forward. Superintendent Magee shared that this work has been done at
INTRODUCTION OF NEW STAFF (continued)

SMCOE for many years, where the Board has invested their priorities and energy into equity work in many different ways, and it is time for SMCOE to have a position that coordinates, aligns, and leads the work both internally and externally.

Executive Director Clay shared she was excited and thrilled for the opportunity to join SMCOE. She described her former career as a math teacher in Oakland, Berkeley, and Alameda, which now guides her and is the foundation for her professional work. Executive Director Clay discussed in teaching, as with equity work, we must start where people are and move them forward in their journey and help them develop. She elaborated upon her focus on student voice and asking for continued assessment to help with growth and improvement, and how the same must be done in equity work, to tap into the voice of those most impacted and find out if what is being done is moving the needle for them. Executive Director Clay shared her focus on outcomes and the importance of measuring what is working and effective for those being impacted.

Executive Director Clay discussed attending graduate school to earn her Master’s Degrees in Business Administration and Education simultaneously, in order to explore how business structures can improve education and help educators work more efficiently and effectively for students. She then returned to Oakland and became an administrator to support the most vulnerable schools and students, and help parents advocate for the academic success of their students. Her last full-time job before consulting focused on desegregating schools, and she explained that segregation is still occurring all around the country, with certain students in certain classes, and other students relegated to other classes. Executive Director Clay described how this work opened her eyes to systemic problems not always seen because they are in the walls. Most recently, she had the opportunity to facilitate a seminar with John King, the previous Secretary of Education under President Obama, centered on diversifying the teacher pipeline. She summarized that she lives and breathes equity work and is excited to join the team, and explained she has an open door policy for anyone to contact her with questions or concerns.

6. APPROVAL OF MINUTES

   A. November 18, 2020, Regular Board Meeting

After a motion by Mr. Cannon and a second by Ms. Alvaro, the Board approved, by a vote of six in favor (Alvaro, Camacho, Cannon, Gerard, Hsiao, and Lempert), and one absent (Ross), by roll call vote, the Minutes of the November 18, 2020, Regular Board Meeting as presented.

7. CONSENT AGENDA

   B. Receive Staffing Reports
   C. Adopt Joint Resolution No. 20-72 Recognizing January 2021 as National Slavery and Human Trafficking Prevention Month
   D. Adopt Joint Resolution No. 20-73 Honoring Donna Cervelli on Her Retirement
   E. Adopt Joint Resolution No. 20-74 Honoring Benjamina Uribe on Her Retirement
After a motion by Ms. Gerard and a second by Mr. Hsiao, the Board approved, by a vote of six in favor (Alvaro, Camacho, Cannon, Gerard, Hsiao, and Lempert), and one absent (Ross), by roll call vote, the Consent Agenda.

8. LOCAL CONTROL AND ACCOUNTABILITY PLAN

A. Receive Local Control Funding Formula (LCFF) Budget Overview for Parents: SMCOE Local Control and Accountability Plan (LCAP) 2019-2020

Denise Porterfield, Deputy Superintendent, Business Services Division, stated that California Education Code requires that each school district, county office of education, and charter school develop the Local Control Funding Formula (LCFF) Budget Overview for Parents in conjunction with the Local Control and Accountability Plan (LCAP) each year. But due to COVID-19 and its impact, Senate Bill 98 added Education Code §43509 which changed the adoption dates for the Budget Overview for Parents for the 2020-2021 school year.

Jeneé Littrell, Deputy Superintendent, Educational Services Division, first thanked Mr. Hsiao for his leadership and shared that she has always appreciated his thoughtful, considerate questions. She said she is always assured by the way he engages with staff and students, and through both formal and informal conversations with him, at all times his heart and his commitment to the most vulnerable students in the county shines through. Deputy Superintendent Littrell expressed feeling honored to work alongside him and thanked him for all he has done.

Deputy Superintendent Littrell described this year is the third year of the SMCOE LCAP, and although the team would normally present on the LCAP alone, due to COVID-19 and Senate Bill 98, the Budget Overview for Parents had been decoupled from the LCAP. She continued that Senate Bill 820 was also passed this year, requiring the Budget Overview for Parents template to align with the Learning Continuity and Attendance Plan, which the Board approved on September 16, 2020. Deputy Superintendent Littrell explained she and Deputy Superintendent Porterfield were present to provide the Budget Overview for Parents alongside the First Interim Report, alignment which is now required.

Deputy Superintendent Porterfield added to the tributes to Mr. Hsiao, sharing it has been an amazing time with him, and she expressed her heartfelt thanks for all the work he has done. She discussed the challenges he often presented which helped her to grow quite a bit, and she thanked him.

Deputy Superintendent Porterfield reiterated that all reports must align and the Business Services team has ensured that all expenditures in all reports are aligned, as required.

Mr. Hsiao referred to the difference between the budgeted and actual expenditures, and asked what happens to unexpended LCFF funds after a fiscal year has ended, and whether they can be kept. Deputy Superintendent Porterfield replied that the funds can be kept and are applied to the ending fund balance, and may go back to the general fund if they were for a program. She further explained the funds do go back to the ending fund balance and can be reallocated in the next year.
LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Mr. Hsiao pointed out these funds are almost $600,000 and it is good they can be redeployed somewhere.

9. BUSINESS SERVICES DIVISION

A. Receive, Review, and Approve with Positive Certification the 2020-2021 First Interim Financial Report

Denise Porterfield, Deputy Superintendent, Business Services Division, explained the 2020-2021 budget was built on the May Revise, with the assumption that the Local Control Funding Formula (LCFF) would receive a cost of living adjustment (COLA) increase of 2.26% and a reduction of 10%. Although SMCOE is a “hold harmless” county office and funded by property taxes, this same reduction was applied to the formula. The state’s final budget adoption included a 0% COLA with no reductions. This also means the LCFF Floor Entitlement did not move up towards the hold harmless, effectively adding another year to when the two amounts will cross in the future. Based on current assumptions, the General Fund Revenue is estimated to be $98 million with Excess Property Tax estimated at $21.9 million. These are subject to change as any new funding becomes known and as property tax amounts become known in June 2021.

Deputy Superintendent Porterfield continued that the current General Fund Expenditures are estimated at $106.5 million. There is a reduction of $1.8 million in unrestricted expenditures and an increase in restricted expenditures. She said that the Board approved a number of resolutions for the transfer of funds, including saving funds to offset future expenditures, since SMCOE is a flat-funded county office. These funds have sunsetting and SMCOE is only making transfers for infrastructure at this point. Currently, SMCOE is making a transfer from savings of $8.4 million, with $2.6 million for Capital Outlay only, requiring $5.8 million for operational expenses.

Deputy Superintendent Porterfield indicated that SMCOE is committed to supporting quality instruction and programs, and is making a total contribution of $3 million, meaning general fund unrestricted to restricted programs. The Board has been provided with a list of contributions in the Fund Narrative. She described that the components of the Ending Fund balance have also been provided, including $5.9 million to meet the 7% requirement by the Board for Economic Uncertainties and $1.5 million for Small District Bridge Loans. The restricted funds must be reserved for the purpose for which they were apportioned. SMCOE has a total of $106.3 million in other funds, of which half is assigned to offset increased expenditures, managing the budget, and for infrastructure upgrades, deferred maintenance, and post-retirement benefits. All other funds are positive.

Deputy Superintendent Porterfield stated as expected and as a flat-funded county office, SMCOE is deficit spending, using savings to meet operational needs. SMCOE began planning for this when the LCFF was implemented. As a result, SMCOE has significant funds to assist in meeting its future; however, the organization must continue to reduce expenditures while still meeting the needs of students and districts. She assured the Board that Superintendent Magee and Cabinet are working diligently to identify these needs.
Ms. Alvaro thanked Deputy Superintendent Porterfield for the reports. She referred to using reserves to meet expenses, and exploring ways to reduce expenditures while doing what needs to be done to serve students, including putting backfill contributions into court schools. Ms. Alvaro referred to the data on page 3 of the report indicating contributions of roughly $725,000 into Hillcrest and roughly $416,000 into Camp Kemp. She asked if this data was accurate and if she was reading it correctly. Deputy Superintendent Porterfield confirmed Ms. Alvaro was correct, explaining that Education Code mandates that county offices fund the education provided by court programs. One of the most challenging aspects to manage is the volatility of the student count, and as decisions are made to reduce the youth population in the incarcerated setting, the obligation does not go away. As the population reduces, the need for infrastructure remains in place. The contributions are estimates and may not reach as high if more students enroll or there is a reduction in services due to distance learning.

Ms. Alvaro thanked Deputy Superintendent Porterfield for the response. She asked how SMCOE is planning for this, because we keep hearing more and more that the courts and probation are looking at ways to avoid incarcerating students, which is good news all around, but that also means the student numbers will decrease. Ms. Alvaro commented on how Glenwood closed because the numbers were low, and the county couldn’t afford to keep it open. She asked again how SMCOE is planning to sustain programs given lowered enrollment. Deputy Superintendent Littrell replied that the current instructional model involves one teacher serving each classroom, and each rotation of classes during the day is tied to units. Probation is looking at ways to merge their populations to align with reductions, but that means they also have to be willing to let SMCOE make adjustments in the instructional model to better serve students, keep everyone safe, and continue the impactful work around restorative justice and social-emotional learning. She further confirmed that these conversations have begun with probation.

Ms. Alvaro thanked Deputy Superintendent Littrell and agreed it’s difficult because SMCOE doesn’t want to stop serving these most vulnerable students, and for whom she has always had a big place in her heart. However, when looking at fewer students, without additional supplemental funding from the state, the programs cannot function with really low numbers and average daily attendance (ADA) at the same time. Ms. Alvaro again thanked Deputy Superintendent Littrell for the information and asked to be kept updated.

Board President Camacho discussed being on the verge of a big rental crisis in the housing market and asked what impact this might have to the housing market over the last few months. He said he’s thinking long term and property tax revenue down the line and asked Deputy Superintendent Porterfield if she had any insight as to what to expect regarding property tax changes. Deputy Superintendent Porterfield responded the Controller is watching this closely, mainly for the purpose of placing property tax deferrals during the year. They weren’t sure how these were going to come in, but right now they are coming in as predicted. SMCOE feels the estimates are good, but going into the out years it’s an unknown. Board President Camacho thanked Deputy Superintendent Porterfield for the response.

After a motion by Mr. Hsiao and a second by Ms. Gerard, the Board approved, by a vote of six in favor (Alvaro, Camacho, Cannon, Gerard, Hsiao, and Lempert), and one absent (Ross), by roll call vote, the 2020-2021 First Interim Financial Report.
10. **OFFICE OF THE SUPERINTENDENT**

**A. San Mateo County Special Education Local Plan Area (SELPA) Compliance Monitoring Update**

Anjanette Pelletier, Associate Superintendent, Special Education Local Plan Area (SELPA), Karen Breslow, Program Coordinator, SELPA, Mary Yung, Program Coordinator, SELPA, and Natasha King, Program Manager, SELPA presented on SELPA compliance monitoring. They discussed the following components in detail:

- Federal compliance reporting, state compliance reporting, local educational agency (LEA) compliance reporting
- The use of data systems in reporting and service tracking
- County-wide monitoring
- Compliance monitoring structure
- Compliance activity timeline
- Continuing compliance activities
- Special Education Plan development
- Disproportionality training
- Significant Disproportionality designation
- SELPA LEAs identified for Significant Disproportionality
- Support with Comprehensive Coordinated Early Intervention Services (CCEIS) consultants
- Next steps
- Compliance resources

Board President Camacho thanked the team for the presentation on such a critical component of SMCOE’s work.

Mr. Hsiao thanked the team for the presentation and for taking on such a complex process. He referred to the slide showing patterns of disproportionality across certain school districts which showed more than 60% are LatinX/Hispanic, and asked if there was pattern for those types of specific learning disabilities. Associate Superintendent Pelletier replied there was, and this specific area of overidentification has been monitored by SELPA for four years. She indicated there must be a pattern of three consecutive years and the team has known these districts were at risk of falling into the significant disproportionality bucket. She noted that for several years they have been conducting trainings on culturally relevant assessment for psychologists and speech and language specialists, culturally relevant pedagogy, universal design for learning (UDL), supports and services for English Learners who are also potentially students with disabilities. The team has been trying to roll out preventative resources, and even with that work, they are still behind in outcomes. Associate Superintendent Pelletier explained that Program Manager King could speak to the two to three patterns observed in students identified as LatinX/Hispanic.

Program Manager King noted they have been working with districts to teach them how to pull and analyze their own data. She continued that the team is looking at trends of actual specific years students qualified, and the years for qualification are getting younger and younger. When looking at the overall systemic issue, the team is looking at a lack of multi-tiered system of supports (MTSS) in schools.
Program Coordinator Yung added that students are not always receiving supports when they need them. When digging into root causes over the past two years, the team is observing particular grade levels at which students are being identified and referred for special education testing, which may be because students, including English Learners, may be behind in literacy skills. The team is seeing increased referrals during those age ranges, so early intervention is critical. Program Coordinator Yung explained the team hopes to get to students before they qualify for or need special education. Some of these issues can be remediated prior to getting to special education because they may not have a specific learning disability, but rather need remediation.

Mr. Hsiao summarized he is hearing there is a lot of early intervention offered to LEAs to ensure delivery of instruction in a culturally relevant way, and it sounds like the team is unsure whether these students do have specific learning disabilities. Program Manager King confirmed this was correct. He asked whether we have the right tools to interpret and property diagnose and assess these disabilities. Associate Superintendent Pelletier responded that as the team goes through their file review, they see that often the gap is on the adult side, with missing quality first instruction with clear knowledge of how to instruct English Learners, missing educators’ confidence to meet childrens’ needs when struggling with language development, and a mismatch of cultural competency between what the students need and what staff have been trained to provide with fidelity. They see in the assessments that some cases are a language acquisition issue and could have been remediated had other options been available, but the decision was made to go the special education route. Associate Superintendent Pelletier indicated a clear pattern is adults making a choice to refer students to special education when there could have been other interventions.

Program Manager King added that some teachers feel they know when they see a student who needs special education, rather than going through the process of trying different interventions prior to sending the students for a special education referral. She indicated this is a matter of providing support for student needs within the general education classroom and having the confidence to do so with direct intervention from a general education perspective.

Mr. Hsiao shared shortly after his parents emigrated from China and settled in New York City, some of his uncles and aunts were identified for special education, purely because they couldn’t speak English, and later went on to show they had no learning disabilities. They became professors and pursued other successful careers. He said that this trend has been around for decades.

Ms. Alvaro thanked the team for the report. She commented that she was on the Juvenile Justice Commission for 14 years, when she was first on the Board, and one issue tackled was a study of disproportional minority confinement. Ms. Alvaro related that one only had to walk into Juvenile Hall or Camp Glenwood to see there was a problem. An in-depth study was conducted. Ms. Alvaro emphasized the commission concluded that children of color were being overidentified for special education services they didn’t need. Ms. Alvaro noted the current trend is for roughly 61% of students identified to be LatinX/Hispanic, and a much smaller number African American. She pointed out there were a lot of issues where children were referred inappropriately for behavior into special education categories, who then went down a road directly into the juvenile justice pipeline. Ms. Alvaro expressed feeling heartened for the SELPA team’s work and that this work is a priority for the state. However, she is disheartened that the numbers are still as big as they are, and there is still a lot to learn.
Ms. Alvaro inquired about the trend for most LatinX/Hispanic students to be diagnosed with specific learning disabilities (SLD) but for most African American students to be diagnosed with something else. Associate Superintendent Pelletier shared that over her 10 years at SMCOE the team has been monitoring data and performance indicators, and when she first arrived there were several districts either incredibly at risk or significantly disproportionate for African-American students identified with specific learning disabilities. Nine years ago, trainings were implemented focused on culturally responsive pedagogy, and at that time the SELPA-wide explicit focus was on what was disproportionately, inappropriately happening to African-American students, specifically African-American boys. They found that they were being identified as having specific learning disabilities but the primary reasons for referral were behavior, lack of fit of their cultural response to the educational setting or system. Once these students were aggregated at the high school level, the high school districts had large enough numbers that they became significantly disproportionate.

Program Manager King commented on the importance of case managers, which does not link to a specific ethnic group or area of special education identification, and finding that parents and students are more comfortable knowing they have a direct point of contact and communication with a case manager upon qualification for special education. The case manager is a safety net and noted that when families would exit their students out of special education, they would not give up the case manager.

Mr. Cannon recalled participating in student-study teams when he was a Principal, focusing on trying to find interventions before getting to special education, which was difficult for teachers. Mr. Cannon commented that the team’s perspective on teachers is healthy, because teachers work so closely with students and get upset when student needs are not met. Years ago, and perhaps still to this day, teachers look to special education as the answer when there are many other less restrictive environments for these students. He expressed appreciation for the team’s overall understanding that teachers are interested in the best for their students. Mr. Cannon emphasized this is a complicated issue for all involved.

Board President Camacho asked about systems change and intentional focus on students needing additional support or on earlier interventions, and specifically how teacher development programs are changing. Associate Superintendent Pelletier replied that she is not an expert on teacher induction and development, but she described the huge focus in California on ensuring more teachers have access to topics and frameworks like MTSS. Associate Superintendent Pelletier continued that the philosophy is shifting, and MTSS and UDL are no longer considered fringe concepts for only special educators and interventionists, but concepts for everyone. There has also been positive movement with the California Commission on Teacher Credentialing. As part of the teacher competencies, there is much more information about English Learner acquisition, reading acquisition, early reading challenges, and early dyslexia, which had not been included in the past. There is continued work on what they are calling a “single trunk” of preparation, meaning all teachers receive a firmer foundation in behavior, social-emotional learning, and necessary interventions. She affirmed there is so much educators need to know, it is difficult to determine what to give up as new requirements are added.

Board President Camacho asked how parents and families feel engaging in this language. He inquired if this is still a barrier or whether the information is accessible. Associate Superintendent Pelletier passed the question along to Program Coordinator Yung and Program Manager King, who
have been attending parent stakeholder engagement focus groups. Program Manager King shared that the team feels privileged to sit with parents and community members, and described the meetings as emotional. When they conduct parent focus groups, they intentionally do not have the LEA present to allow parents to provide honest opinions and answers. She explained parents feel somewhat engaged but are eager to share what else their students need.

Associate Superintendent Pelletier added the team is seeing differences among community groups, with African-American families mobilized and comfortable sharing what they need. Associate Superintendent Pelletier commented on cultural patterns, with some communities more deferential to schools and teachers, and encouraging them to ask for what they need and want should be continued by LEAs.

Program Manager King discussed student focus groups and how it has been helpful to hear student journeys from a student perspective. These groups give students a safe space to discuss their needs, wants, and desires, how they would change their journeys if they could, and how they can become more successful from a different lens.

B. Receive Superintendent’s Response to the 2019-2020 Grand Jury Report "Ransomware: It Is Not Enough to Think You Are Protected"

Superintendent Magee explained that SMCOE received this Grand Jury report in mid-October 2020. SMCOE’s responses express agreement with the findings of the report and indicate that SMCOE will invest in an internal report sometime in mid to late spring 2021. The team is working on gathering data and analyzing progress. Superintendent Magee also noted that Chief Technology Officer Owens has been developing restructuring plans with Deputy Superintendent Porterfield for several years. After the cyber security incident in July 2019, that plan was accelerated and capital dollars have been expended on purchasing additional firewall equipment.

Superintendent Magee added that COVID-19 impacted the where and how of technology needs. She indicated the Information Technology (IT) team has been working around the clock for more than a year and is well aware of these concerns. In the meantime, SMCOE continues to focus on security, increased staff training, and implementing additional tools. Superintendent Magee and Chief Technology Officer Owens will bring a more detailed report about these issues to the Board in the spring to update the Board on progress.

Mr. Hsiao thanked Chief Technology Officer Owens for their work together on the iZone, and stated she has been an unsung hero over the past seven to eight months. He again thanked Chief Technology Officer Owens for her hard work and acknowledged that the Grand Jury report is accurate, SMCOE fully appreciates its importance, and will be accelerating the work. Mr. Hsiao commented that Chief Technology Officer Owens is working hard to close the digital divide for families as well as protect SMCOE from bad agents trying to hack the system. Chief Technology Officer Owens thanked Mr. Hsiao for his comments and shared she enjoyed working with him and appreciated the opportunity to do such good work. She confirmed the team is continuing to strengthen SMCOE’s security posture and expressed appreciation to Superintendent Magee, Deputy Superintendent Porterfield, and the Board for their support because it is expensive work. She stated
the biggest goal is to ensure delivery of the most protected computing system possible, and allow all necessary access to deliver learning to students and functionality to staff.

Board President Camacho echoed Mr. Hsiao’s comments and shared how this field is constantly evolving and SMCOE is trying to stay ahead all the time.

C. Superintendent’s Comments

Superintendent Magee began by wishing happy birthday to Deputy Superintendent Porterfield.

Superintendent Magee discussed that earlier in the day all managers participated in the second Leadership Seminar of the year. The session was conducted remotely and attended by 80 SMCOE leaders across the organization. She explained that they had reviewed program goals around MTSS and the importance of connectedness and interconnectivity across divisions. In the afternoon session consultant Nicole Anderson led the group through an equity session.

Superintendent Magee shared the previous Saturday was the first cohort of the county’s Youth Climate Ambassadors, who had completed their year of programming. The Climate Ambassadors program is co-led by SMCOE and the San Mateo County’s Office of Sustainability. There were 49 youth leaders from 16 schools who completed the program, working either individually or in small groups to collectively implement 27 community impact programs across San Mateo County, all around environmental sustainability.

Superintendent Magee shared also about the first cohort of the San Mateo Environmental Learning Collaborative Administrative Fellows. This program has been run for teachers for several years under the leadership of Coordinator Yeghoian, and who this past year developed a program for Administrators. There were 10 fellows who completed the program.

Lastly, Superintendent Magee shared that the Career and Technical Education (CTE) team, under the leadership of Executive Director Gnusti, had applied for additional Strong Workforce Grants, and she was happy to announce that the team was just awarded another Strong Workforce Grant in the amount of $1,200,000, with all projects geared towards the middle schools. She expressed congratulations to the CTE team.

11. BOARD MEMBERS

A. Board Member Comments

Mr. Lempert
Mr. Lempert commented on the great reports and referred back to his earlier comments on Mr. Hsiao earlier in the evening, again thanking Mr. Hsiao and expressing that he will be missed very much.
Mr. Cannon
Mr. Cannon reflected it was sad to lose Mr. Hsiao on the Board, but it was great so many people spoke to his qualities. Mr. Cannon expressed appreciation for the chance to celebrate and learn more about his colleague, which sad as it might be, was uplifting for him.

Mr. Cannon commented on the appropriate focus on achievement for students, emphasizing that the job of a special education administrator is financial, as well. He shared he has been in and observed situations where there were less than adequate gatekeepers in district special education administration. He noted one learns from negative lessons and expressed appreciation for the less glamorous financial responsibilities of the job.

Ms. Alvaro
Ms. Alvaro welcomed Executive Director Clay, sharing excitement for her to join the team and she looks forward to conversations and working together.

Ms. Alvaro wished Mr. Ross a safe journey to attend to family matters. She delivered comments from Mr. Ross, informing of updates from Oxford Day Academy (ODA), for which he is the Board’s liaison. At an ODA Board meeting earlier in the week, it was announced that Mallory Dwinal formally stepped back from her role at the school to focus more time on her teacher education work, which she is leading at the Oxford Teacher’s Academy, which is now a part of the Reach Institute of School Leadership.

Lastly, Ms. Alvaro shared that there were a number of additional, non-speaking guests present earlier at the Board meeting to support Mr. Hsiao, including Marcia Serpa-Garcia and Edna Letran. She shared Ms. Serpa-Garcia was insistent on attending.

Ms. Gerard
Ms. Gerard wished Deputy Superintendent Porterfield a happy birthday and welcomed Executive Director Clay, describing the importance of her position working on equity issues which is at the top of her list.

Ms. Gerard expressed appreciation for the SELPA report, and learning about the challenges of disproportionality.

Ms. Gerard said that Mr. Hsiao is an amazing person and although it might sound unprofessional, she loves him to death and will miss him greatly. She emphasized anytime she is invited to his table and can help, she is happy to do so.

Mr. Hsiao
Mr. Hsiao thanked everyone who really filled his heart throughout the evening. He thanked Superintendent Magee, Ms. Perna, and all those who helped with the chocolate cake and balloons which had been specially delivered to his home earlier in the day. Mr. Hsiao shared he loved the Zoom backgrounds, which Ms. Alvaro interjected had been created by Patrick Broderick, and Mr. Hsiao asked that Mr. Broderick be thanked on his behalf.

Mr. Hsiao wished Deputy Superintendent Porterfield a happy birthday.
BOARD MEMBERS (continued)

Mr. Hsiao commented that the evening was an exemplary example of SMCOE’s high caliber, impressive, and amazing Cabinet.

Ms. Hsiao recalled a story about attending a California County Boards of Education (CCBE) conference and being invited to the Superintendent/Board dinner. He shared being focused on business, wanting every dollar to go to students, and declining the dinner invitation. Ms. Serpa-Garcia pulled him aside and told him it was a tradition for every Board member to attend, because it was one of the few times they got to relax and talk about non-Business issues. Mr. Hsiao said he was so glad she did so.

Mr. Hsiao expressed appreciation about getting to know his fellow Board members over the last 14 years, and indicated they have gone through a lot together. He shared it had been a joy going through it with them, along with Superintendent Magee and the prior Superintendents.

Mr. Hsiao shared he hopes Youth Commissioner Liaison Chan enjoys her year, and encouraged her that she would be seeing some high-powered leaders in action. He expressed excitement for what Executive Director Clay brings to the office. Mr. Hsiao emphasized he will be cheering everyone on from the side. He joked if there was a presentation on English Language Learners that evening, that would have been the triumvirate to really focus on equity. Mr. Hsiao shared he was excited for everyone, and he emphatically thanked everyone again.

Youth Commission Liaison Chan
Youth Commission Liaison Chan thanked Mr. Hsiao, sharing that although they only worked together for two meetings, it was great to hear what everyone had shared. She could tell in his 14 years he had done a lot of great work.

Youth Commission Liaison Chan discussed her participation in the Youth Climate Ambassador’s Program, and how she enjoyed seeing what SMCOE is doing in other areas of interest to her.

Board President Camacho
Board President Camacho thanked everyone for their comments and participation.

12. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (GOV'T CODE § 54956.9(d)(1))

A. Name of Case: San Mateo County Board of Education and Nancy Magee, in Her Official Capacity as San Mateo County Superintendent of Schools v. JUUL Labs, Inc. – 3:19-cv-8210

At 8:53 p.m., Board President Camacho announced the meeting would move into Closed Session to discuss Name of Case: San Mateo County Board of Education and Nancy Magee, in her official capacity as San Mateo County Superintendent of Schools v. JUUL Labs, Inc. – 3:19-cv-8210.
12. **ADJOURNMENT**

The Board reconvened in Open Session at 9:38 p.m. Board President Camacho stated there was nothing to report from Closed Session.

There being no further business to come before the Board, the meeting was adjourned at 9:39 p.m. Board President Camacho announced there would be a special meeting on Wednesday, December 16, 2020, at a special time of 7:00 p.m., and the next regular meeting would take place on Wednesday, January 20, 2021, at 6:00 p.m.

_Nancy Magee_

Nancy Magee, Secretary

jlp