Board President Beverly Gerard called the meeting to order at 7:01 p.m. Simultaneous interpretation was provided in Spanish using Zoom technology.

B. Discuss/Act on Resolution No. 22-52 Finding the Ongoing COVID-19 Pandemic State of Emergency Presents Imminent Risks to the Health or Safety of Attendees and that it Continues to Directly Impact the Ability of Members of the San Mateo County Board of Education to Meet Safely in Person

After a motion by Board Member Bonini and a second by Board Member Lempert, Resolution No. 22-52 was approved by a vote of five in favor (Alvaro, Bonini, Camacho, Gerard, and Lempert) and two absent (Cannon and Ross).

C. Approval of Agenda

After a motion by Board Member Alvaro and a second by Board Member Camacho, the September 7, 2022, agenda as presented was approved by a vote of five in favor (Alvaro, Bonini, Camacho, Gerard, and Lempert) and two absent (Cannon and Ross).
2. **PUBLIC COMMENT**

The following speakers provided public comment:

- Colleen You, 17th District Parent Teacher Association (PTA)
- Janice Pellizzari, SMCOE teacher and San Mateo County Educators Association (SMCEA) President

3. **EMPLOYEE OF THE MONTH**

   A. **September 2022 Employee of the Month Michelle Lee, Administrative Assistant II, Safe and Supportive Schools, Educational Services Division**

   Board President Gerard recognized the September 2022 Employee of the Month Michelle Lee, Administrative Assistant II, Safe and Supportive Schools, Educational Services Division. Board President Gerard congratulated Ms. Lee on behalf of the Board and honored her with a check and commemorative token.

4. **INTRODUCTION OF NEW/RECENTLY PROMOTED STAFF**

   A. **Jennifer Pellegrine, Coordinator, Leadership and Administrator Services, Educational Services Division**

   Winnie Hardie, Executive Director, Teacher and Administrator Development, Educational Services Division, introduced Jennifer Pellegrine, Coordinator, Leadership and Administrator Services, Educational Services Division. Coordinator Pellegrine described her vision to address inequities in society and the educational system. She discussed the Teacher and Administrator Development (TAD) team’s aspirations to attract the next generation of leaders and prepare and support them in their work.

   B. **Jason Owens, Coordinator, Student Support, Educational Services Division**

   Kris Shouse, Associate Superintendent, Educational Services Division, introduced Jason Owens, Coordinator, Student Support, Educational Services Division. Coordinator Owens shared hopes to support districts in the areas of counselor coaching, Positive Behavior Interventions and Supports (PBIS), Multi-Tiered System of Support (MTSS), social-emotional learning (SEL) for both staff and youth, crisis intervention, and suicide prevention. He expressed his excitement to serve the 23 districts in San Mateo County in educating the whole child.

5. **APPROVAL OF MINUTES**

   A. **August 17, 2022, Regular Board Meeting**

   After a motion by Board Member Alvaro and a second by Board Member Ross, the Minutes of the August 17, 2022, Regular Board Meeting as presented were approved by a vote of five in favor (Alvaro, Bonini, Camacho, Gerard, and Ross), one abstention (Lempert), and one absent (Cannon).
6. CONSENT AGENDA

B. Adopt Joint Resolution No. 22-53 Honoring Rosario Guasque on Her Retirement
C. Adopt Joint Resolution No. 22-54 Recognizing September 15, 2022, - October 15, 2022, as National Hispanic Heritage Month and Latinx Heritage Month in the State of California
D. Approve 2022-2023 Consolidated Application for Funding (ConApp) through Consolidated Application Reporting System (CARS)

After a motion by Board Member Lempert and a second by Board Member Camacho, the Consent Agenda was approved by a vote of six in favor (Alvaro, Bonini, Camacho, Gerard, Lempert, and Ross) and one absent (Cannon).

7. EDUCATIONAL SERVICES DIVISION

A. Receive Report on Opening of 2022-2023 School Year for San Mateo County Office of Education Student Programs

Kris Shouse, Associate Superintendent, Educational Services Division, along with Sarah Notch, Executive Director, Special Education and Instruction; Shelly Johnson, Principal, Court and Community Schools; Heather Logan, Principal, Early Childhood Education and Related Services; and Ellen Paulino, Principal, Special Education Services P-22; provided a report on the opening of San Mateo County Office of Education student programs, discussing the following topics in detail:

- Returning to School with Continued Focus on Serving the Whole Child
- Programs by the Numbers
- Preparing and Launching
- Welcoming Students and Families
- Students in Action
- Looking Forward
- California Multi-Tiered System of Support (MTSS) Framework
- Aligning Systems Through Collaboration 2022-2023

Board Member Bonini referred to slide 3 indicating that Early Start has an enrollment of 50 students and how the presentation sent to the Board was missing that number. She asked for clarity on that data. Associate Superintendent Shouse apologized for the missing data and confirmed that 50 students, with pending referrals, is accurate.

Board Member Bonini asked what is happening at the Anne Campbell Center in terms of programs, teachers, and classrooms. Principal Logan shared the plan to open a state preschool. They are now fully licensed and ready to serve children. The next step is to confirm job descriptions and hire for lead teacher and assistant teacher positions. They are also actively recruiting an Early Childhood Special Education (ECSE) teacher, and it has been a challenge to attract qualified applicants. The team is navigating these challenges but is optimistic they will have students on campus within the next two months.
Board Member Bonini asked if there was a pipeline of students waiting to be enrolled. Principal Logan explained they will not advertise for the state preschool class until after the teachers are hired. Once the Special Education teacher is hired, they can begin accepting referrals.

Superintendent Magee noted that opening a state preschool class is a new endeavor for SM COE. Additionally, SM COE posted and recruited for the Early Childhood Special Education teacher starting in May with several rounds of interviews, but did not make any hires. Superintendent Magee affirmed it is a high priority to get this teacher hired as soon as possible.

Executive Director Notch said the team is excited for the opportunity of having a state preschool program run by the County Office, which provides limitless inclusive opportunities for our students and ECSE programs. The team has been dreaming big about how to model running an inclusive preschool to provide as many opportunities as possible for students to begin their education with a strong, supportive, inclusive foundation.

Board Member Bonini referred to the Gateway numbers and asked whether they are what the team anticipated, and about the capacity for the program. Principal Johnson confirmed that the current Gateway enrollment is 11 students with one pending referral and one tour scheduled the following day. The capacity, per teacher contract, is a maximum of 20 students. Students will transition out in January which will again open slots.

Board Member Bonini asked about the Therapeutic Day Class. Executive Director Notch shared the Therapeutic Day Class currently has three students, with one active referral, and several potential referrals. The capacity is 10 students. Districts are committed to preserving the least restrictive environment and not starting off with referrals prior to attempting interventions within their own school programs. Ms. Notch predicts the program will reach capacity this school year.

Board Member Bonini referred to slide 11 and strategic planning around MTSS and asked if that was related to the overall Strategic Planning. Associate Superintendent Shouse indicated the programs have been operating under an MTSS model to some degree and that yes, the school team is also planning for a strategic process around school programs starting in November. By July 1 there should be a published strategic plan document for the school programs.

Board Member Alvaro stated she was excited about adult MTSS and SEL structures. She asked if the team is including parents, or just teachers and staff. Associate Superintendent Shouse confirmed they will eventually be including parents, but it is not a focus this year. This year, the team is focused on staff and strengthening the organizational supports to lead this work. Eventually, they anticipate being able to embed this in parent evenings and back-to-school nights so there would be parent outreach.

Board Member Alvaro asked if plans are integrated with what is being discussed by the unions. Associate Superintendent Shouse shared that yes, this work is being discussed across all groups but with collaboration among administration, site leaders, teachers, and paraeducators as a focus. She discussed the benefits of making sure everyone understands the science and rationale behind what is happening, having a voice in the process, and being conscientious about improvement science to
EDUCATIONAL SERVICES DIVISION (continued)

remove barriers for students, which can sometimes end up being difficult for staff. The goal is to minimize roadblocks and get to a place of working collaboratively to keep moving forward.

Executive Director Notch spoke to the commitment of partnership with certificated and classified staff. She had a conversation with Ms. Pellizzari earlier in the day about being solution-focused, raising the voices of staff to identify needs, and strategically finding supports to ensure everyone is on the same page. They made an analogy about being diagnosticians and figuring out the root causes of what is being done by being data-driven, to plug in the appropriate supports. Layering more and more of the wrong supports will not move the work forward. Executive Director Notch emphasized that this will be a tremendous amount of work, but it is the right work and must be done in partnership.

B. Conduct Public Hearing Concerning Sufficiency of Textbooks and/or Instructional Materials

Board President Gerard opened the public hearing concerning sufficiency of textbooks and/or instructional materials. Receiving no public comment, Board President Gerard declared the Public Hearing closed.

C. Adopt Board Resolution No. 22-55 Sufficiency of Textbooks and/or Instructional Materials

Kris Shouse, Associate Superintendent, Educational Services Division, provided information on Board Resolution No. 22-55 Sufficiency of Textbooks and/or Instructional Materials. After a motion by Board Member Lempert and a second by Board Member Ross, Board Resolution No. 22-55 Sufficiency of Textbooks and/or Instructional Materials was approved by a vote of six in favor (Alvaro, Bonini, Camacho, Gerard, Lempert, and Ross) and one absent (Cannon).

8. OFFICE OF THE SUPERINTENDENT

A. Receive Report on the California School Boards Association (CSBA) GAMUT Policy Plus Program

Superintendent Magee presented a report on the California School Boards Association (CSBA) GAMUT Policy Plus Program, discussing the following topics in detail:

- Current Status of Board Policies
- Goals for Board Policy Organization
- GAMUT Policy and Policy Plus
- Policy Development Workshop
- Recommended Next Steps

Board Member Alvaro asked if the only way to get Board policies online through GAMUT was to do the full Board three-day Policy Development Workshop. What input would the Board have with the policies recommended by CSBA? Superintendent Magee clarified that CSBA facilitates the conversation to see what is missing and what is recommended. They provide guidance and
consultation, but do not tell anyone what to do; the Board still decides what they want to take on and how they want to amend policies.

Board Member Alvaro asked who would participate in the Policy Development Workshop and how would they bring information back to the entire Board for discussion and action. Superintendent Magee shared that CSBA likely has a mechanism for sharing back with the full board and shared her assumption that only a subset of the Board would participate in the Policy Development Workshop. Superintendent Magee indicated she would ask CSBA for further details, Board Member Alvaro discussed the need to have Board discussion, first readings, and second readings, and asked how that would integrate if only a few Board members attended the Policy Development Workshop. Superintendent Magee reiterated that she would clarify this with CSBA and report back to the Board.

Board Member Camacho referred to pricing and asked if there was any in-between for the digitizing of Board Policies, or if it was either access to the sample policies, which we currently have, or the Board goes full in. Superintendent Magee confirmed the latter was correct.

Board Member Bonini discussed how CSBA would likely focus on the policies the County Office does not have, which is what the Board Policy Subcommittee is already doing. She emphasized how the policies need to be reviewed and she discussed the possibility of adopting all the sample policies in full and then going through and editing them.

Superintendent Magee indicated that may be the way it is done. Board Member Bonini recalled when the San Mateo-Foster City School District took on a complete review of all their policies and what a giant task it was. Superintendent Magee replied that a lot of the work could get done during the Policy Development Workshop which would serve to move the work forward.

Board Member Camacho spoke of the goals of the process, including the public having access to policies in their native languages, as well as increasing access in general. He related that another goal is staying current as laws change. Board Member Camacho added that currently, it takes staff and/or Board member time to stay attuned to changes. Superintendent Magee related that when other urgent issues arise, this board policy review falls off the priority list. Board Member Camacho indicated this is helpful in considering the big picture and the cost trade-offs seem to make sense.

Board Member Ross stated his understanding was that the Board could still engage in all the review they normally do, which would be supported by advice from the CSBA policy team and their technology platform, allowing the process to be more efficient. He did not feel that the Board would be conceding anything or be forced to approve policies they did not want to approve. The only remaining question for him was which Board members would attend the Policy Development Workshop, which would require volunteer time. However, if the County Office were to invest the extra thousands of dollars, he felt the Board should do their part. Board Member Ross asked if the Board Policy Subcommittee would be signing up to attend.

Board Member Bonini suggested that the timing may tie in with the reconfiguration of the Board Policy Subcommittee. She remarked that it makes sense for those on the Board Policy Subcommittee at the time of the Policy Development Workshop to attend.
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OFFICE OF THE SUPERINTENDENT (continued)

Board Member Bonini asked if the total cost was the cost being paid now plus the additional amount. Superintendent Magee clarified that the costs would be added together. Board Member Bonini noted the new cost would be twice as expensive. Superintendent Magee agreed but noted that the Policy Development Workshop is a one-time cost.

Board Member Alvaro discussed challenges with CSBA having a different set of needs and regulations for local School Boards as opposed to County Boards. She emphasized the need to ensure that what the County Office was signing up for would be specific to County Boards. There are a lot of CSBA policies which have nothing to do with the County Board, and a few that the County Office has which have nothing to do with local School Boards. Board Member Alvaro asked if the process was adjusted for County Boards. Superintendent Magee responded that the meeting with CSBA focused on County Board policies and other County Offices were discussed, so her understanding was the process would be tailored to county boards.

Board Member Camacho recalled his Board Policy Subcommittee experience in 2016 when many of the CSBA sample policies were like the County Office policies, which was before the sample county board policies came out. While CSBA is trying to cover both, they have not been fully invested in County Offices, which is something to discuss with them.

B. Superintendent’s Comments

Superintendent Magee thanked the 17th District PTA for their communication in public comment about the financial and social-emotional support provided to foster youth and County Office school programs. The support is deeply appreciated and especially meaningful for students and staff. It is not taken for granted. She thanked Ms. You for all the 17th District PTA does for the County Office.

Superintendent Magee praised the school leaders for their help in refocusing our school program staff to teaching and learning coming out of COVID-19. These leaders are focused on healing and moving work forward to benefit students. She thanked Associate Superintendent Shouse for her leadership, along with the amazing broad support provided by SMCOE Coordinators and others across the Educational Services Division. There is capable leadership at the school sites, including the site leaders, teachers, and paraeducators working together to create a vision for the future.

Superintendent Magee provided information on the upcoming scheduling of Board presentations made by Board request. The presentation on the Juvenile Justice and Delinquency Prevention Commission (JJDPC), along with an update on foster youth services, is scheduled for October 26. Per a request from Board Member Camacho, there will be a Personnel Commission Annual Report from Randy Perez, Executive Director, Personnel Commission Services, on November 16.

In terms of Board agendas, Superintendent Magee explained that her staff is going to discontinue the practice of rolling over the same resolutions from year to year and develop resolutions at the Board’s request. Staff will continue to bring resolutions that honor SMCOE staff members, but the rest will be at the Board’s request. Board members can raise these ideas during the time set aside on the agenda for suggested topics for future Board agendas.
Superintendent Magee shared that she was looking forward to attending and learning with several of the Board members at the upcoming California County Board of Education (CCBE) Conference.

Lastly, Superintendent Magee wished a happy upcoming birthday to Board Member Alvaro.

9. BOARD MEMBERS

A. Discuss/Act on Designation of the San Mateo County Board of Education's Voting Representative at the California County Boards of Education (CCBE) Meeting as part of the California School Boards Association (CSBA) Conference December 2, 2022, in San Diego, CA

After a motion by Board Member Ross and a second by Board Member Lempert, Board President Gerard was selected as the San Mateo County Board of Education's Voting Representative at the CCBE Meeting as part of the CSBA Conference December 2, 2022, in San Diego, CA, by a vote of six in favor (Alvaro, Bonini, Camacho, Gerard, Lempert, and Ross) and one absent (Cannon).

B. Discuss/Act on Nominations for California School Boards Association (CSBA) Directors-at-Large: Director-at-Large, Asian/Pacific Islander; Director-at-Large, Hispanic

After a motion by Board Member Bonini and a second by Board Member Camacho, Amy Koo of the Belmont-Redwood Shores School District was nominated to continue as CSBA Director-at-Large, Asian/Pacific Islander, by a vote of six in favor (Alvaro, Bonini, Camacho, Gerard, Lempert, and Ross) and one absent (Cannon).

C. Second Reading and Potential Action on Updated Board Policy 6158 Regarding Independent Study

Marco Chávez, Deputy Superintendent, Educational Services Division, presented a second reading of updated Board Policy 6158 regarding Independent Study and addressed Board member questions raised at the first reading.

After a motion by Board Member Alvaro and a second by Board Member Ross, updated Board Policy 6158 regarding Independent Study was approved by a vote of six in favor (Alvaro, Bonini, Camacho, Gerard, Lempert, and Ross) and one absent (Cannon).

D. Discuss/Act on Expiration of Board Policy 0470 Regarding the COVID-19 Mitigation Plan

Superintendent Magee explained that the mandate to have this Board Policy in place has expired, and it contains information which is no longer accurate. She suggested it be expired.

Board Member Camacho asked if when a Board Policy is expired, it means that it never existed, and he asked where the expired Board Policies go. Superintendent Magee suggested it can be crossed through, noted as expired, and kept in the archives for future historians. She reminded the Board that their action will also appear in Board Minutes.
After a motion by Board Member Ross and a second by Board Member Lempert, Board Policy 0470 Regarding the COVID-19 Mitigation Plan was expired, by a vote of six in favor (Alvaro, Bonini, Camacho, Gerard, Lempert, and Ross) and one absent (Cannon).

E. First Reading of Updated Board Policy 9000 Regarding the Roles and Duties of the Board

The Board engaged in a first reading of updated Board Policy 9000 regarding the Roles and Duties of the Board. Superintendent Magee said that the Board Policy Subcommittee developed the corresponding memo and recommended this process. She raised a question about approving Superintendent Policies by consent and suggested the goal might better be achieved simply as an information item on the agenda and not to place them on the Consent Agenda.

Board Member Bonini indicated that the Board Policy Subcommittee carefully considered that language. She explained that items on the Consent Agenda are coming to the Board for approval. There can be discussion if items are pulled from the Consent Agenda, but she believes that the intent of the Consent Agenda is typically for items not expected to be pulled. The Board has expressed a desire for them, as well as the public, to see and be aware of Superintendent Policies, to ensure transparency. The Board Policy Subcommittee does not feel tied to the language.

Board Member Ross recognized and shared appreciation for the work of the Board Policy Subcommittee. He discussed how the County Superintendent has within her jurisdiction roles such as employee management, which are subject to the Superintendent’s discretion. He stated that he was unsure if saying that the Board must approve these Superintendent Policies conflicts with the roles. He understands the idea of disclosure, but the Board does not have the authority to approve certain items. They have the authority to endorse items which come to the Board for ratification, but he doesn’t think they can approve them, and approving by Consent suggests a blanket approval. Board Member Ross recommended there may be a better way to accomplish what the Board Policy Subcommittee seeks to accomplish.

Board Member Ross referred to the second part of the policy which deleted the provision regarding how “the County Board may adopt rules and regulations regarding the administration of the office of the San Mateo County Superintendent of Schools.” He stated that deleting that provision would abdicate a power granted to the Board under Education Code 1042(a) which uses that exact language. What is written in the Education Code is that the Board can pass policies governing the office of the Superintendent. Board Member Ross discussed the power of this policy and compared it to the United States Senate passing a rule for itself that it won’t pass laws governing the administration of the Department of Commerce.

He described how it is arguably in the Board’s jurisdiction to have a policy governing the administration of the office that simply states that the Board asks that the Office of the Superintendent to publish Superintendent Policies. There could be a policy under this provision asking for exactly what the Board wants, which is more appropriate than announcing that the Board will endorse Superintendent Policies. Board Member Ross suggested it might be worth leaving the policy as-is and drafting a new policy addressing the question regarding the disclosure of Superintendent Policies.
BOARD MEMBER (continued)

Board Member Alvaro indicated that the above-described statement was not removed, it was moved from “may” to “shall.” Board Member Ross discussed how the statement under “shall” indicated that the Board shall approve by consent Superintendent Policies but did not say that the Board may approve regulations or policies governing the office, which was taken out.

Board Member Bonini related that Board Member Ross’ point was well taken and he was accurate about the first section, which aligns with Education Code 1040(a), as well as the “shall” portion. The “may” permissive provision is Education Code 1042(a). Since it is permissive, the Board has the right to do it if they wish. The way it is stated in the current version may potentially overstep a little because it says the Board may approve any policy of the County Office. She elaborated on Board Member Alvaro’s comments, explaining that the Board Policy Subcommittee wants to make clear that they want to see and approve policies. They believe this is a threshold policy for moving forward with governance and working collaboratively, as well as allowing the Superintendent to proceed with Superintendent Policies and not holding back that process.

Board Member Ross stated he appreciated the intent.

Board Member Bonini continued that the Board Policy Subcommittee attempted to move the statement from “may” to “shall” and then caveat in the second portion that the Board is not saying they want to approve policies, even though there would be approval by consent. It is their intent to review the policies and there would not be a need for first and second readings.

Board Member Ross related that he understood the intent and discussed the difference in the details of what is written. There are regulations that the Superintendent can issue in the role of Superintendent and there are regulations that the Board can issue in their role as a Board. He described how Education Code 1040(a) states that the Board can govern their own Board and Education Code 1042(a) states that the Board may govern the County Office in areas within the Board’s jurisdiction such as in charter school appeals, hearings, and the current Board process. The County Office and Superintendent engage in many actions that are directly related to the roles of the Board. The purpose of Education Code 1042(a) is to enable the Board to issue policies and regulations governing how the County Office supports the Board members which he feels is the best understanding.

Board Member Ross indicated he does not feel this statement should be taken out because it describes how the Board is entitled to ask for a certain process, for example with charter school petitions, because they are the ones deciding on the petition. Without the nuance, one might look at the broad language and think the Board can adopt all rules governing how the Superintendent governs, but there are clearly areas within the Superintendent’s discretion for which the rest of the Education Code and California laws would not allow the Board to pass judgment. He feels the language should be for the purposes of governing and speaking to issues which matter to the Board and he did not feel this should be abdicated.

For the disclosure issue related to Superintendent Policies, Board Member Ross felt that should be done in a different manner, perhaps by request of the Superintendent, by passing a resolution asking that the Superintendent do it, or by creating a separate policy. The policy would declare that
pursuant to Education Code 1042(a), the Board can pass policies governing the administration of the Office of the Superintendent and the Board asks that when the Superintendent issues a policy within her jurisdiction that she discloses it to the Board so the Board can have notice and acknowledge the policy. He felt this would retain the Board’s authority.

Board Member Bonini asked if Board Member Ross would feel differently about the second clause with the word “ratify” rather than “approve.” Board Member Ross said he felt fine keeping it in the section about what the Board must do and would potentially support the language “the Board must consider for ratification all rules and regulations adopted by the County Superintendent.” Board Member Ross discussed asking for the Superintendent to disclose policies to the Board, and he recommended directing the Superintendent to do what they would already do, which is publish and disclose Superintendent rules and regulations. If the Board ever wanted to pass a resolution supporting this, they could, but they would need to take the initiative to do so.

Board Member Lempert echoed Board Member Ross’ comments and asked the broad question about what problem the Board is trying to solve. He discussed importance of clear governance and School Boards and how everything must be considered in terms of student outcomes. The highest functioning Boards focus on equity, improving outcomes, and early childhood. Board Member Lempert referred to reports from the Superintendent about what the County Office did to ensure children had food and emphasized the enormous time spent in the daily work of the office. He again asked what problem the Board was trying to solve. He spoke of the Board’s role in property issues, charter school appeals, and interdistrict attendance appeals, and the need to direct the Superintendent to provide the help they need to do that work.

Board Member Lempert asked how all the time being spent on this issue takes time away from closing achievement gaps in the county. He underscored the importance of governance and asked what the Board was trying to solve and what is not being done for student achievement. He was unsure why the Board was trying to change the policy and verbalized that he had no interest in second guessing the policies of the Superintendent.

He agreed with Board Member Ross that the Board may want to direct the Superintendent on issues over which they have authority and again spoke of the enormous amount of work needing to be done by the County Office and how governance issues zap that time. Board Member Lempert discussed time being spent on this when democracy is threatened, students are not being served, or students who are foster youth or English learners are being hurt, but he just doesn’t understand what problem was attempting to be solved. He emphasized that staff needs to be focused on the broad views, including addressing the equity gaps in the county and student achievement.

Board Member Bonini agreed with Board Member Lempert’s comments. She explained the problem is that there was not consensus on what the clause which parallels Education Code 1042(a) meant. There was a lengthy discussion, and the change was meant to be productive and clarify the intent of the Board. There was no agreement on what that meant in the last discussion. Board Member Bonini related that this may not be the perfect solution but that was the goal of the change. It was not meant to restrict or increase the Superintendent’s work. If there are Superintendent Policies to be created, they would have been written anyways.
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**BOARD MEMBERS** (continued)

Board Member Lempert recounted that he has been on the Board for 22 years and until recently, the Board has taken on property issues, charter school appeals, interdistrict attendance appeals, and expulsion appeals, and provided broad guidance and oversight, particularly with the budget. The ambiguity currently being discussed has never been an issue in his 22 years on the Board.

Board Member Camacho explained that although the language may not be correct, it is an attempt to simplify things because what the Board has seen historically is changing. Right now, the Board does not have a mechanism to adopt Superintendent Policies, which the Superintendent would like to do. There is no language around Superintendent Policies, and there are other County Offices adopting these. This process creates a mechanism for the Superintendent’s Office to operate on their own to put forth Superintendent Policies, which is completely new to the Board’s governance.

There are no current Superintendent Policies, and he stated he believes this is what the Superintendent would like to do. Board Member Camacho discussed the hope that this would be a mechanism for Superintendent Policies to join the list of Board Policies. He reiterated he was unsure if this was the correct language, but the goal was to move the Board aside from Superintendent Policies that the Superintendent would bring forward.

Board Member Ross said the Board should not be in the business of ratifying Superintendent Policies, except under extraordinary circumstances where the Board wants to endorse them for some reason. He recommended letting the Superintendent publish Superintendent Policies and discussed how the policies would be promulgated and there would be access to them. The Board could ask the Superintendent to keep them updated at Board meetings and give notice about the policies. But he did not think Board Policy 9000 was the place to do that. Board Policy 9000 is about the power and duties of the Board, and they are talking about what they want the Superintendent to do with Superintendent Policies. Board Member Ross suggested the Board ask the Superintendent to ensure they have notice of the Superintendent Policies.

Board Member Ross discussed how Education Code 1040(a) is about the regulations affecting the Board but has the limitation that the Board can only pass regulations affecting its own governance that are not inconsistent with law. Education Code 1042(a) reads as more expansive than that, as if any regulation can be passed, but that is not true. The governance task force for CCBE consulted with three different counsels on this issue. It does not mean the Board has a say over the Superintendent’s jurisdiction, which includes employees. However, at a minimum, it ensures that when it comes to the Board exercising its own authority over its own governance areas within its own duties, which includes appeals, items which come up for public hearings, and the budget process, the Board is allowed to pass policies providing direction to the County Office about how to assist in those duties. Board Member Ross emphasized that the Board does not want to abdicate that.

Board Member Bonini stated the transparency of having Superintendent Policies on the agenda had nothing to do with the Board and the Board’s hope was not to approve them. She explained how the Board has the authority to create all sorts of Board Policies and they are placed on the agenda for public knowledge and notice that they exist for input. This does not mean they need to be changed. If the Superintendent adds an item to the agenda, staff and the public may provide input. Placing
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**BOARD MEMBERS (continued)**

these items on an agenda provides a point of discussion and does not mean the Board has any authority.

Board Member Ross agreed that was appropriate and the Board meetings provide the public with an opportunity to see what the County Office and Board are doing. He again recommended drafting a separate policy asking that the Superintendent place on Board meeting agendas Superintendent Policies for public and Board viewing, questions, and discussion, with no action. Board Member Ross indicated the Board should not say in writing that they will pass judgment because they don’t have the power to do so, but they have the power to have a Board meeting. They also have many items that come before them for which they do not take action.

Board Member Camacho asked if Board Member Ross’ request was to leave #1 in the second “may” section and not add the clause in the “shall” section. Board Member Ross confirmed that was accurate. He would not add clause #2 in the “shall” section and he would not change clause #1 because it creates a limitation that is inconsistent with Education Code.

Board Member Camacho summarized that there has been good input in this first reading.

Board President Gerard indicated the Board Policy would be sent back to the Board Policy Subcommittee for further review and brought back for a second reading.

Board President Gerard agreed with Board Member Lempe1t’s comments that the Board has never approved anything like this before. She explained this is because it has never come up in the past. Superintendent Magee is the first Superintendent wanting to investigate having separate Superintendent Policies. The Board wants to allow the Superintendent to work with her team to develop policies. Previously, the Board Policies have been wrapped into one type and now they are looking at having Board Policies, as well as Superintendent Policies. She again agreed that this has not been done before.

Board Member Lempe1t noted that Board Member Ross raised interesting points. He explained that if one does not like the Sheriff’s policies, the Board of Supervisors does not deal with that, and the only recourse is through the election process.

Board Member Bonini stated that she did not know that the relationship between the Sheriff and Board of Supervisors was comparable because the Board actually has a role in maintaining accountability for the County Office. While the relationship is a bit different, she said she understood Board Member Lempe1t’s point. She related that she didn’t completely disagree, but she didn’t completely agree, either.

Board Member Lempe1t discussed the tenure of Superintendents and what is happening in the country around the role of School Boards, and asked what the Board is trying to solve. He suggested that Boards being more involved in management has hurt student achievement and asked for examples where a Board becoming more involved has helped student achievement.

Board President Gerard explained there has been a lot of work outside of the Board, for example CCBE is concerned with their governance handbook, which addresses many of the issues being
discussed. It was done in collaboration with the California County Superintendents Educational Services Association (CCSESA) and attorneys on both sides. She assured this is not just an issue for this Board. It is an issue statewide and there has been much discussion, thought, and time put into it. Board President Gerard reiterated that Board Policy 9000 would be sent back to the Board Policy Subcommittee for review and brought back at an upcoming meeting.

F. Receive Update from Board Policy Subcommittee

Board Member Bonini shared that the Board Policy-related items on the night’s agenda were included per Board Policy Subcommittee recommendation. That included revisions to Board Policy 9000 as well as expired Board Policy 0470. The Board Policy Subcommittee discussed whether the expiration of Board Policy 0470 needed to be voted upon and they decided it should be. In addition, they had discussed updates to Board Policy 6158, which took a different route but they did want to bring it to the Board. Board Member Bonini discussed the Interdistrict Attendance Appeal handbook and whether updates should be addressed by the Board Policy Subcommittee, but they decided that should be handled separately.

Board Member Bonini noted that the Board Policy Subcommittee’s next meeting would take place on Monday, October 3.

G. Board Member Comments

Board Member Lempert
Board Member Lempert congratulated the new staff.

Board Member Ross
Board Member Ross shared he was looking forward to the upcoming CCBE Conference. He noted he has looked at the governance issue through the CCBE governance task force and encouraged the Board to read the draft handbook. He related that Superintendents existed before County Boards at their level. County Boards used to do what the California Commission on Teaching Credentialing did for most of the 19th century. It wasn’t until the mid-20th century that County Boards started doing other functions, and it wasn’t until 1955 that the legislature decided to make County Boards elected bodies. Since 1956 when the first Board members were elected, Superintendents and Board members have wondered what to do with each other. These are two separate elected bodies with different functions in the same office and this is not a new conversation. The governance question has always been tense and confusing. Where there has been cooperation, things have gone well, and where there has not been cooperation, things have not gone well.

Board Member Ross reported that there is a different context now. In the last 20 years, the role of the County Office has changed greatly. Twenty years ago, the federal government was doing accountability, and ten years ago, state governments were doing accountability. Roughly five years ago, California decided that County Offices should do this. The legislative accountability offices indicated that County Offices were better at this than the state government, which was a huge change.
BOARD MEMBERS (continued)

The second change was that a lot of the mandatory activities of County Offices have gone away and County Offices have been left to come up with services and ask districts to pay for them. For the last several years, many County Offices have come up with services, including induction, other teacher training programs, and Outdoor Education. They are doing entrepreneurial activities on a level which was not happening 30-40 years ago.

The third change has been COVID-19. The legislature and local officials realize that County Offices have been leaders in times of crisis, placing more attention on County Boards. Board Member Ross discussed these three components coming together, the roles of the Board, working together, and governance. There is a lot more attention on County Boards and he feels that is why the governance task force is timely. Board Member Ross summarized that was a preview of discussions to take place over the weekend at the CCBE Conference.

Board Member Alvaro
Board Member Alvaro shared she hoped those attending the CCBE Conference would enjoy their weekend.

Board Member Camacho
Board Member Camacho had no comments.

Board Member Bonini
Board Member Bonini reported she did not attend the Special Education Local Plan Area (SELPA)/Community Advisory Committee (CAC) meeting on August 29, but she did receive updates from a few of the members. The CAC met and while the attendance was low, there are additional meetings coming up. One of the discussion items she raised is to further engage in the recruitment of CAC members and appointment by the local Boards. They are working on that project, as well as other goals and presentations.

Board Member Bonini expressed her appreciation to Superintendent Magee for moving the JJDPC presentation to October.

Board Member Bonini said she is not able to attend the September 21 meeting and wished everyone well in discussing the Strategic Plan.

Board Member Bonini shared she hopes everyone enjoys the CCBE Conference.

Board Member Bonini referred to the endorsements and resolutions by elected bodies for various propositions and asked the Board whether they could adopt a resolution in support of Proposition 1 at an upcoming meeting. She informed that the Board of Supervisors and other elected bodies have drafted resolutions about this important issue.

Board President Gerard asked if it could be agendized at the next meeting. Superintendent Magee confirmed it could be.
BOARD MEMBERS (continued)

Board President Gerard
Board President Gerard wished happy birthday to Board Member Alvaro.

Board President Gerard expressed she was looking forward to the CCBE Conference and that everyone attending would be busy with various responsibilities. She believes it will be enjoyable but a lot of work, and a great deal of beneficial information will be shared.

10. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:23 p.m. Board President Gerard announced the next regular meeting would be a Strategic Planning Study Session on Wednesday, September 21, 2022, at 7:00 p.m.

Nancy Magee, Secretary

jlp