APPROVED

MINUTES OF THE SAN MATEO COUNTY BOARD OF EDUCATION

Meeting Date: October 12, 2022

Meeting Location: San Mateo County Office of Education
101 Twin Dolphin Dr.
Redwood City, California 94065

Board Members Present: Susan Alvaro, Chelsea Bonini, Hector Camacho, Jr., Jim Cannon, Beverly Gerard, Ted Lempert, Joe Ross

Board's Attorney Present: Gina Beltramo, Deputy County Attorney

Staff Officials Present: Nancy Magee, Secretary
Jennifer Perna, Executive Assistant

Other Staff Present: Kevin Bultema, Marco Chávez, Patricia Love, Tami Moore, Marchelle Moten, Lorrie Owens, Kris Shouse, Mary Yung

1. OPENING ITEMS

A. Call to Order

Board President Beverly Gerard called the meeting to order at 7:00 p.m.

B. Discuss/Act on Resolution No. 22-60 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 Alvaro and a second by Board Member Cannon, Resolution No. 22-60 was unanimously (Alvaro, Bonini, Camacho, Cannon, Gerard, Lempert, and Ross) approved, by roll call vote.

C. Approval of Agenda

After a motion by Board Member Alvaro and a second by Board Member Lempert, the October 12, 2022, agenda as presented was unanimously (Alvaro, Bonini, Camacho, Cannon, Gerard, Lempert, and Ross) approved, by roll call vote.
2. **PUBLIC COMMENT**

There were no persons wishing to address the Board.

3. **APPROVAL OF MINUTES**

   A. **September 21, 2022, Regular Board Meeting**

   After a motion by Board Member Alvaro and a second by Board Member Lempert, the Minutes of the September 21, 2022, Regular Board Meeting as presented were approved by a vote of five in favor (Alvaro, Camacho, Gerard, Lempert, and Ross) and two abstentions (Bonini and Cannon), by roll call vote.

4. **CONSENT AGENDA**

   B. **Adopt Joint Resolution No. 22-61 Honoring Clayton Koo for His Service to the Jefferson Elementary School District Board of Trustees**

   C. **Adopt Resolution No. 22-62 Establishing the Actual 2021-2022 and the Estimated 2022-2023 Appropriations Limitation (Gann Limit)**

   D. **Act on the Reappointment of Veronica Palmer as the California School Employees Association's (CSEA's) Nomination for the Personnel Commission**

   After a motion by Board Member Alvaro and a second by Board Member Lempert, the Consent Agenda was unanimously (Alvaro, Bonini, Camacho, Cannon, Gerard, Lempert, and Ross) approved, by roll call vote.

5. **EDUCATIONAL SERVICES DIVISION**

   A. **Discuss/Act on Adoption of the Study Sync English-Language Arts Curriculum for Court and Community School Programs**

   Kris Shouse, Associate Superintendent, Educational Services Division, and Shelly Johnson, Principal, Court and Community Schools, Educational Services Division, provided information regarding the Study Sync English-Language Arts Curriculum for Court and Community School programs.

   Board Member Ross asked if there had been consideration to the science of reading, primarily related to learning to read and phonics. He discussed mixed results in early reading instruction and how students in California coming into the middle and high school grades have demonstrated reading proficiency gaps compared to students in other states.

   Principal Johnson said the primary focus was on differentiating instruction for students with different needs in one classroom. She explained this curriculum has tools for differentiation,
can be converted into Spanish, and has summative assessments so students are prepared for the English Language Proficiency Assessments for California (ELPAC) and the California Assessment of Student Performance and Progress (CAASPP). The team chose this curriculum specifically to engage students where they are with formal and informal assessments.

Principal Johnson described how time is spent at staff meetings every third Wednesday to use data to inform instruction, review levels, and make decisions about whether students are ready to move forward. The team also uses E.L. Achieve as a toolkit in all content areas to provide additional strategies to complement the platforms being adopted, allowing students to have a comprehensive experience and be successful.

Board Member Cannon asked if this curriculum was part of the normal, traditional cycle of subjects and new systems adopted every five to seven years. Principal Johnson confirmed this was true and explained the process was slowed by the pandemic. Associate Superintendent Shouse reiterated the pandemic caused a delay in the process. She explained that teachers have been piloting three platforms for roughly the past two years and this is the curriculum they chose.

Board Member Cannon shared that the differentiated instruction really fits the needs. He asked whether the curriculum was approved by the state. Principal Johnson confirmed the curriculum was approved. He asked if the state was paying for these materials. Associate Superintendent Shouse explained that the adoption was scheduled and budgeted for, so this will not impact school programs any differently than when the school year began.

Board Member Bonini asked about the ramp-up time for teachers. She also asked if there would be ongoing support from the publisher and how much time that would take. Principal Johnson shared that Dhanya Unni, Manager, Student Information Systems, Business Services Division, and Clarissa Tom, Coordinator, Information Systems, Business Services Division, have been working to ensure students are populated into the curriculum’s electronic platform within 24 hours of student enrollment. Teacher support includes ongoing professional development with Lynn Fox, the main trainer for Study Sync who is accessible for routine drop-ins for assistance. Associate Superintendent Shouse explained that ongoing professional development is also a component of Strategic Planning.

Board Member Cannon expressed appreciation to Principal Johnson for her enthusiasm and her work.

Board President Gerard referred to the adoption table at Gateway and asked if there were adoption tables at all of the sites where the program will be used. Principal Johnson indicated that the information has been featured in the weekly bulletin so the court school staff could access the materials. Due to the court schools being secure facilities, along with COVID-19 parameters, the team was only able to utilize the Gateway site for public view.

After a motion by Board Member Cannon and a second by Board Member Lempert, adoption of the Study Sync English-Language Arts Curriculum for Court and Community School programs was unanimously (Alvaro, Bonini, Camacho, Cannon, Gerard, Lempert, and Ross) approved, by roll call vote.
B. Receive Report on Differentiated Assistance (DA) Work with Districts on Improved Outcomes

Joy Dardenelle, Executive Director, District Improvement and Support, Educational Services Division; Jeff Schmidt, Coordinator, District Improvement and Support, Educational Services Division; and Dr. Leticia Bhatia, Ed.D., Assistant Superintendent, Curriculum and Instruction, Cabrillo Unified School District; provided a report on Differentiated Assistance (DA) work with districts on improved outcomes.

Board Member Lempert asked if Differentiated Assistance includes tracking of how the money is spent since improvement dollars are intended to support students who are English Language Learners, qualify as foster youth, or are in poverty. He discussed concerns that districts are not spending money on these students and asked if the team focused on this or whether that oversight is done by others. Dr. Bhatia replied that her district leans on Executive Director Dardenelle to assist in the Local Control and Accountability Plan (LCAP) process. It is in that process that funding for the unduplicated count subgroups mentioned are considered supplemental Local Control Funding Formula (LCFF). Those funds are often used to adopt some of the curriculum and increase professional development.

Board Member Lempert indicated his question focused on larger districts being in the news regarding lawsuits about dollars that were intended to go to designated students, as opposed to all spread across all students in the districts. He asked how the County Office deals with that issue and whether they make sure that dollars are going where they should. Coordinator Schmidt discussed how Differentiated Assistance criteria is visible as student support actions in the LCAP document. If there is a cost to the service, it must be identified there. He explained Differentiated Assistance itself does not have any attached financial accountability.

Executive Director Dardenelle added one reason the team uses a case management strategy and pairs LCAP and Differentiated Assistance support is the close link between LCAP plans and the actual activities a district implements for improvement. By pairing Differentiated Assistance with the LCAP process, the SMCOE team can review the section related to increased and improved services. They also partner with the Business Services Division to verify the budgeting is aligned correctly.

Board Member Lempert discussed districts not liking the Dashboard indicators and instead having their own local indicators. He commented on the release of data and the widening of gaps, specifically around students with privilege who did better during the pandemic. He asked what is really being measured with local measures. Board Member Lempert expressed concern about how to communicate this to the public, who is reading about these gaps and how the situation is not getting better for certain student groups. He has heard about measuring data differently and again asked how to describe that to the public. Before it was straightforward to see who was appropriately serving their students who were English Language Learners and progress was being made. Board Member Lempert requested a concise way to communicate data showing that students who are English Language Learners are doing better in one district compared to another.
EDUCATIONAL SERVICES DIVISION (continued)

Executive Director Dardenelle explained when the complete California Dashboard comes back online, the public will see who improved and who did not. In addition, to change the experiences of students, the education leaders must not only examine the big measures, but also consider other more specific reasons why student achievement may not be improving. She explained how analyzing shifts in local data helps to understand the larger data, but also allows the school team to see change from semester to semester. Differentiated Assistance gets down to that level and helps districts see their data trends.

Board Member Cannon thanked the team for the professional, clear, and in-depth presentation. He expressed admiration for the team’s work. He noted it is not easy to go into districts as an outsider and help them improve. He thanked Dr. Bhatia for her participation, sharing that it was worthwhile for him to hear from a practitioner working with the County Office team.

Board Member Bonini referred to district suspension rates. She also referred to students with disabilities and asked for clarification on the process working with the Special Education departments. Coordinator Schmidt explained for districts with large numbers of identification criteria for students with disabilities, the team helps scrutinize the data and with the district does a root-cause analysis to better understand the problem.

In terms of suspensions, during the pandemic there were many fewer suspensions because students attended over Zoom. The team needs to go back to 2019 suspension data to understand trends. Suspension rates have many factors which can be difficult to identify, including engagement issues, bullying, academics, and lack of confidence. The team is looking at whether certain groups are being suspended at different rates which would indicate other factors which the team could work to identify.

Coordinator Schmidt explained he is not an expert on students with disabilities, so the team relies on the Special Education Local Plan Area (SELPAs) team to work directly with the Special Education coordinators and leads at the districts and school sites on that work. Executive Director Dardenelle added that the SELPA functions in its own accountability and compliance work within Special Education. She discussed how SELPA works with state and federal programs on Special Education. There are also SMCOE’s Curriculum and Instruction partners to lean on, as well as the Center for Access and Engagement under the leadership of Sarah Notch, who will be partnering on Differentiated Assistance work. The team hopes to connect districts with resources within the County Office to help them approach challenges on multiple levels, not just with accountability and compliance, but to provide resources to meet their needs.

6. BUSINESS SERVICES DIVISION

A. Receive 2021-2022 Unaudited Actuals Year-End Closing Report

Kevin Bultema, Deputy Superintendent, Business Services Division, and Minette Manio, Executive Director, Internal Business Services, Business Services Division, presented the 2021-2022 Unaudited Actuals Year-End Closing Report.
BUSINESS SERVICES DIVISION (continued)

Board Member Camacho discussed how much in total, accumulated over the last eight years, has been sent back to the state in Excess Property Taxes, including last year's roughly $29 million. Board Member Ross asked if the Excess Property Tax money was still going to the trial court trust fund for the Superior Court system. Deputy Superintendent Bultema confirmed that was his understanding. Board Member Ross asked that it be reflected in the minutes that the Education Code is continuing to fund the judiciary and court system.

Board President Gerard thanked Deputy Superintendent Bultema for the clear and concise report.

Deputy Superintendent Bultema thanked his team for working hard to close the books and accurately trace the money.

7. OFFICE OF THE SUPERINTENDENT

A. Superintendent’s Comments

Superintendent Magee began by thanking Associate Superintendent Shouse for her leadership with the school team and for bringing the curriculum adoption forward for action.

Superintendent Magee also thanked the hard-working, thorough, and diligent staff in the Business Services Division. She called out Deputy Superintendent Bultema’s excellent leadership and shared that he is learning and teaching others in the building how education funding works, how to approach budgets, and how to ensure the County Office is providing the appropriate resources to students and families.

Superintendent Magee related that she had communicated with the Board earlier that morning about two school safety issues which had occurred across the county. One event was at South San Francisco High School and the other event was at Woodside High School. The team connected with the National Incident Command Center which tracks all threat reports and has been seeing similar hoax threats across communities in the state and country. Superintendent Magee thanked Mason Henricks, Coordinator, School Safety and Risk Prevention, Educational Services Division, for their exceptional leadership and support.

Superintendent Magee reminded the Board about the Coalition for Safe Schools and Communities Leadership Breakfast on October 27. This will be especially significant because SMCOE has led this work for nearly ten years. Congresswoman Jackie Speier and Supervisor Don Horsley, two elected officials who significantly contributed to this work, are retiring from their public service, and will be honored at the event. She noted Board President Gerard is attending and invited anyone else who was interested to register. Superintendent Magee suggested if Board members could not attend, they could encourage their district Board colleagues to attend with their Superintendents.

Superintendent Magee shared that the previous day the Leadership Team, comprised of all
managers in the County Office, including school principals and school site managers and staff, attended the second Racial Equity Training with Dr. Lori Watson. She described how it has been inspiring and empowering to be together in space, engage with each other, truly dig into the work, and do the healing and learning necessary to lead countywide. The Board is invited to attend any of these sessions throughout the year and Superintendent Magee will resend the email with the remaining dates. The sessions for the Leadership Team are half-day trainings and full-day trainings will also be provided for all staff at the County Office on October 26 or November 3.

Superintendent Magee reported a steering committee is in place for the Strategic Planning efforts of the Big Lift. Supervisor Carole Groom, one of the core leaders of the Big Lift, is retiring and the Silicon Valley Community Foundation is supporting the effort differently. This leaves the County Superintendent to ensure the Big Lift continues in a viable and sustainable form. Superintendent Magee has been working on Strategic Planning efforts with the Silicon Valley Community Foundation’s support. The plan is to conclude the process by March or April of 2023. Superintendent Magee noted when Board Member Alvaro attends the Big Lift Collaborative meeting in November, she will hear more about this process and what it will look like for the Big Lift Community.

Superintendent Magee reminded the Board about the San Mateo County School Boards Association (SMCSBA) General Membership Dinner Meeting on October 17. She is unable to attend but the County Office will be represented by Marco Chávez, Deputy Superintendent, Educational Services Division. He will preview a few focus areas coming soon, including several big data releases in late fall and early January. Additional speakers at the meeting are Kevin Gordon, Capital Advisors President, and Partner; Billy Vernon, California School Boards Association (CSBA) Chief Executive Officer (CEO) and Executive Director; and Alisa MacAvoy, Trustee, Redwood City School District.

Superintendent Magee informed that the Board would adjourn in honor of Peter Fortenbaugh who passed away the previous Friday after a long bout with cancer. This is a great loss to the community. Just months ago, Mr. Fortenbaugh had reached out to the County Office as he was working to ensure the Boys & Girls Club of the Peninsula was set up for long-term sustainability and success.

Lastly, Superintendent Magee explained if the Board holds an Executive Session after Closed Session, she will escort the Board upstairs to the Superintendent’s Conference Room and ensure Board Member Ross gets connected virtually, after which time she will exit.

8. CLOSED SESSION: INTERDISTRICT ATTENDANCE APPEAL IAA-22-7

A. Hear Interdistrict Attendance Appeal 22-7 (IAA-22-7) Filed on Behalf of a Student Currently Residing in the San Carlos School District, but Requesting to Attend School in the Woodside Elementary School District
CLOSED SESSION: INTERDISTRICT ATTENDANCE APPEAL IAA-22-7 (continued)

At 8:26 p.m., Board President Gerard announced the meeting would move into Closed Session to hear Interdistrict Attendance Appeal 22-7 (IAA-22-7) filed on behalf of a student currently residing in the San Carlos School District but requesting to attend school in the Woodside Elementary School District.

9. OPEN SESSION: REPORT ON CLOSED SESSION

A. Report on Action Taken in Closed Session on Interdistrict Attendance Appeal 22-7 (IAA-22-7)

The Board reconvened in Open Session at 10:27 p.m.

After a motion by Trustee Camacho and a second by Trustee Alvaro, IAA-22-7 was denied, by a vote of five in favor (Alvaro, Camacho, Cannon, Lempert and Ross) and two opposed (Bonini and Gerard), due to a lack of sufficiently compelling evidence.

10. BOARD MEMBERS

A. Discuss Potential Resolution on Proposition 1

Superintendent Magee informed this agenda item was included upon request by Board Member Bonini. Deputy County Attorney Beltramo explained that under Education Code and Government Code, employees of the County Office of Education (COE) cannot engage in any part of political activities such as supporting a proposition, including photocopying, drafting, or editing. If the Board provided a resolution for staff to upload, that would be allowed, but staff cannot spend any actual time or equipment on a resolution. She continued that the Board could draft and edit a resolution on its own time and make copies to bring to a meeting.

Board Member Alvaro commented the Board had passed resolutions in support of ballot measures in the past and Board President Gerard agreed. Board Member Lempert asked if the Board could simply endorse the Proposition and send it to the campaign, so the Board’s support is on record. Deputy County Attorney Beltramo stated that there was nothing stopping the Board from doing so. Board Member Alvaro clarified that the Board could not ask staff to make and distribute copies of such materials. Deputy County Attorney Beltramo confirmed that was correct. Board Member Alvaro indicated the Board could pass a resolution so it would be on record. Superintendent Magee reiterated that if there was a resolution, a Board member would have to write the resolution.

Board Member Bonini discussed the difference between a resolution, a statement supporting reproductive freedom, and a statement supporting Proposition 1. The Board of Supervisors released a press release letter regarding their support and she asked whether that was permitted. Deputy County Attorney Beltramo asked if it would be in support of an actual ballot measure. Board Member Bonini said it would be, but it would just be a statement instead of a resolution. Deputy County Attorney Beltramo said that was a fine line, and she would have to look at the content of the statement.
**BOARD MEMBERS** (continued)

Board Member Lempert asked if the Board could agendize an action to support Proposition 1 in order to be on record and send that to the campaign. Deputy County Attorney Beltramo confirmed they could. Superintendent Magee clarified the concern was focused on the time and engagement spent by staff preparing these sorts of materials, but that does not stop the Board from taking a position of action.

Board President Gerard clarified that the night’s agenda did not allow for any action on the item, it only allowed for discussion. Board Member Bonini shared that the agenda item was worth bringing back. She had introduced the agenda item and asked if there was any discussion on the substance of the item. If there was agreement, they could agendize an action item for October 26.

Board Member Ross asked for thoughts on the rationalization of the Board taking a stand on this measure. He stated that typically the Board takes stands on items related to Education Code and this issue is outside of Education Code. He discussed how School Boards are getting involved in issues outside of education which distracts from the needs of students. Board Member Ross indicated that this item is not controversial and asked if the Board wanted to go down the path of adopting resolutions about non-controversial issues not directly related to education. He related this has never been done during his time with the Board. Board members have made statements in their own voices, in Board Member Comments, and in individual capacities about issues, but he has not seen the Board take a position on a political question outside the realm of education policy. He again asked for the thoughts of his colleagues.

Board Member Alvaro shared as strongly as she personally feels about the issue, she had the same reservations as Board Member Ross. The only time she recalls the Board venturing across the line, and it was not a direct educational issue, was around student use of flavored tobacco products, which directly impacted the health of students. She was unsure if a resolution was drafted and believes there was simply discussion and support of a lawsuit which moved forward on behalf of a number of school districts. Board Member Alvaro explained on one level she wants to passionately show her support, but she shares Board Member Ross’ apprehensions.

Board Member Lempert stated he would normally agree, and he would be concerned if the Board began taking positions on many such issues. He discussed the actions of the Supreme Court and how the campaign is asking School Boards, City Councils, Boards of Supervisors, and others in public office throughout the state to take a stand, so this is different. He shared he felt this issue is an exception and he was okay with taking a stand. If these situations come up repeatedly, he might feel differently, but he again emphasized that this is an exception.

Board Member Ross asked if the Board could circulate a letter which Board members could sign, rather than taking action as a Board. He indicated this is stepping outside of where the Board normally adopts resolutions. Endorsement of an issue under their individual capacities as elected officials is one thing, but for the Board to act is significant. Board Member Ross summarized he was not against taking action, but he has reservations and is hesitant to set a precedent.

Board Member Bonini shared she feels this is a controversial and politicized issue and not
everyone is in agreement. There are politicized issues in the Board’s educational realm which
the Board has fully embraced, such as equity, the pandemic, personal rights, and masking. She
described how the Board has taken positions on these issues because they are the right actions
to take and they significantly and historically impact society as a whole. Board Member Bonini
asserted that is how she feels about this issue and that is why she brought it forward. She believes
this is a unique issue and she does not intend to request resolutions on all sorts of issues. However,
as other elected bodies in the county have taken stances, she feels it is appropriate for the Board
to do so, if that is the will of the Board.

Board Member Camacho recalled at the fall retreat the Board discussed what it meant to be a
Board focused on supporting families and children, and the goal was to make that front and center
with everything they did. For him, this issue is a very important part of the livelihood of people. He
stated the Board has an opportunity to say something in a unique time. He asked how the Board
will use their agency because they do have agency to speak on behalf of families and children.
As a Board, they set the bar for what rises to the level where they must act. Board Member
Camacho related he believes this issue rises to that level and hits to the core of who we are as a
society and how we support others.

Board President Gerard recapped that the issue should be brought back to the October 26 agenda
as an action item. At that time, there can be further discussion and a decision.

Board Member Alvaro asked whether it would make sense to discuss and potentially act on a
resolution which had already been written by the Board at the October 26 meeting. She
emphasized the need to take action prior to Election Day. Board Member Bonini asked if it
would be better to draft a letter to the campaign or the Governor rather than a proper resolution.
Board Member Alvaro replied that in any form, it would be timelier to have something written
on which to discuss and act.

Board Member Camacho discussed how the Board has taken co-actions with the Superintendent
over the last two years. While he was not trying to place anything on the Superintendent and did
not want to put her on the spot, he asked if the Superintendent would be able to join the letter. He
described how it has been effective for the Board and Superintendent to act as one and asked
about the options.

Board Member Lempert commented if that was the case, he would have a different opinion,
and he felt the issue was being overcomplicated. He underscored that the Board does not need a
resolution and simply needs to show support for the proposition. They can inform the campaign
and the County Board will be listed as endorsers with others. However, County Superintendents
are different and are listed as individuals. This is about the Board being on the list, and he did
not feel they need a letter.

Board Member Bonini asked if the action would be to endorse. Superintendent Magee confirmed
the agenda item could be a discussion and action to endorse Proposition 1. There would be a cover
memo and the Board could then take action to endorse or not endorse. The Board President could
B. Discuss Updating of Board Meeting COVID-19 Protocols

Superintendent Magee discussed the potential updating of Board Meeting COVID-19 protocols.

Board Member Camacho asked if the current Board meeting protocols had been adopted by the Board. Superintendent Magee confirmed that was accurate. He discussed entering a new phase, People approaching their response to the pandemic, and taking into account the pending surge, especially in communities of color. He spoke about messages from San Mateo County Health strongly recommending boosters and masking indoors. Board Member Camacho indicated he would like to find a place where people do not feel they are being turned away at the County Office. He said he would be comfortable removing the vaccination/proof of negative test requirement but with San Mateo County strongly encouraging masking and how long they are in these quarters, he would feel more comfortable maintaining the mask requirement.

Board Member Alvaro also spoke of the upcoming surge, especially in certain populations and age groups. She knows several people dealing with the effects of long COVID and feels that the virus can be very bad for some, even those with vaccinations. Board Member Alvaro indicated she was not willing to remove the protocols because that makes her nervous. She discussed the meetings being on Zoom where anyone can participate, listen in, and comment. However, she feels that in order to enter the Board room, people should have to provide proof of vaccination or a negative test, and she also prefers to keep the masking in place. Board Member Alvaro emphasized that “we are not there yet.”

Board Member Camacho clarified his comments related to his comfort level if they had to loosen protocols, but his preferences would be the same as those of Board Member Alvaro.

Superintendent Magee summarized the request to keep the current protocols in place through December 31, 2022. The issue could then be revisited.

Board President Gerard added her preference that when people are speaking, they drop their masks. She explained she has a difficult time hearing and understanding when people are wearing their masks. Superintendent Magee explained that has been the practice and she encourages speakers to remove their masks when they are presenting. She summarized the Board would continue with the current protocols and speakers will be reminded that they may remove their masks when at the microphone.

C. Receive Update from Board Policy Subcommittee
Board of Education Meeting
October 12, 2022

BOARD MEMBERS (continued)

Board Member Bonini reported that the Board Policy Subcommittee met on October 3 and invited Deputy County Attorney Beltramo to attend. There was discussion and follow up on items with Superintendent Magee, who provided additional details on GAMUT. Board Member Bonini believed that information was only given to the Subcommittee. They are reviewing four different policies from the 0000 series related to Charter Schools from the CSBA templates. They hope to finish looking at those and potentially bring them back at the next meeting for the Board’s consideration.

Board Member Bonini related that they did not bring back Board Policy 9000 for a second reading. After a long discussion, there is not yet a direction in terms of proposing additional changes or having a different procedure in place to accomplish their goals. She feels next steps will be based on decisions related to GAMUT and additional discussion is necessary. Board Member Bonini shared that the next subcommittee meeting is scheduled for November 7.

Board Member Bonini noted the Subcommittee has discussed Interdistrict Attendance Appeals (IAAs) and recent communications about having a quorum and votes to pass a motion for a seven-member Board. The Subcommittee would like to highlight this for families coming to the Board for appeals, have a discussion prior to the next meeting of the IAA Subcommittee, and perhaps make changes. Superintendent Magee suggested this could be part of the standard introduction to the IAAs by Sharon Brown, Coordinator, District Improvement and Support, Educational Services Division. Board Member Bonini agreed that would be helpful.

Board Member Bonini also shared that the Subcommittee would like to have a Board retreat after the first of the year to discuss developing a local Board governance handbook to set norms, communication, and expectations between the Board and Superintendent. The subcommittee will formally propose having this retreat be facilitated by someone from the outside.

Board Member Lempert responded that Subcommittees serve at the pleasure of the Board, have a focus, and bring recommendations back to the entire Board. He stated he was not expecting the Subcommittee to suggest retreats. There are out-of-date Board Policies and in the past the Subcommittee has done the hard work of going through and determining which policies need to be updated. What he was hearing goes Board policy review and addresses issues which should be discussed by the entire Board. Board Member Lempert emphasized that Subcommittees are very limited and when they meet, they should know their direction. He apologized if he missed the full discussion of the Subcommittee.

Board Member Lempert again summarized that the Subcommittee’s task was to go through the policies, determine which policies need to be updated, and bring that information back to the Board for discussion. He feels the requests he was hearing goes Board policy review and addresses issues which should be discussed by the entire Board and the Board should give direction to the Subcommittee before they act. Board Member Lempert expressed appreciation for the hard work the Subcommittee is doing, however he feels the full Board should be giving direction and the Subcommittee should be acting at the pleasure of the whole Board.
Board Member Bonini explained that the Subcommittee is going through the policies. When the Subcommittee was formed, there was discussion around the Superintendent Policies and how to put them in place, so part of their charge is how to navigate that process. Board Member Lempert reminded the Board members that there was deep disagreement on that issue. He stated if he had understood that the Subcommittee was dealing with that, he would have suggested further discussion on its framework. He requested agendizing at the next meeting a discussion about the Subcommittee’s work. What the subcommittee is doing is not just going through the policies and determining what needs to be updated.

Board Member Bonini conveyed that the governance handbook portion is part of the policy review work because there is an entire section of policies focused on governance. Board Member Lempert indicated that is beyond what he thought the Subcommittee was doing and suggested the work should be engaged in by the full Board. He said the Subcommittee is spending a lot of time on the work and putting the rest of the Board – the majority of the Board – in a difficult position. These are discussions in which the full Board should participate.

Board Member Camacho shared that the Subcommittee is spending most of its time looking at missing policies, for example those on Charter Schools. He explained that the retreat conversation intersected with conversations about GAMUT. They are not planning a retreat. This is about GAMUT wanting to have a philosophical conversation about policies with the full Board. Board Member Camacho rephrased that the Subcommittee did not suggest having a retreat, it was about GAMUT coming in and indicating they need to have a retreat. In the interim, they are looking at updates and missing policies.

Superintendent Magee clarified that staff had a thorough meeting with representatives from GAMUT, and she brought a presentation to the Board, at which time the Board had further questions. She went back to GAMUT with those questions and received answers, which she also shared with the full Board. At this point, there has been no direction to move forward with GAMUT Policy Plus and no action to schedule a Policy Development Workshop.

Board Member Lempert reminded that the Real Property Subcommittee did not direct the Superintendent to provide information. The Board directed the Subcommittee to look into options to bring back to the Board. The work was extensive, but the direction was clear. He would appreciate if the Subcommittee is asking staff to complete tasks, that it be discussed by the entire Board. Board Member Lempert indicated the lack of policies for Charter Schools should be brought to the full Board. He reiterated his understanding that the Subcommittee should be determining outdated and missing policies.

Board Member Lempert asked the Subcommittee to bring recommendations about Charter School policy to the full Board. Board Member Bonini responded that they would bring a recommendation. Board Member Lempert indicated again that the Subcommittee serves at the pleasure of the Board so they should all talk about it. He emphasized that the Subcommittee has no power and cannot ask the Superintendent to do anything. Board Member Bonini countered that the Subcommittee has not asked the Superintendent or staff to do anything.
BOARD MEMBERS (continued)

Board Member Lempert asked what was requested by GAMUT. Board Member Bonini explained they did not ask anything other than a question around the role of the Board in participating in what was requested by GAMUT to place policies online. The process began with the Subcommittee going through the policies, but they are in PDF form. The Subcommittee wants them to be in a searchable form on GAMUT and did not realize the process would be so complicated.

Board Member Lempert asked if the Subcommittee had made any requests of staff. Board Member Bonini responded that they had not. Board Member Lempert asked if that applied to the County of San Mateo and the County Office. Board Member Bonini again responded that they had not.

Board President Gerard interjected that she did not understand what Board Member Lempert was talking about and was confused because she thought the Subcommittee was doing exactly what they had been asked to do. Board Member Lempert explained that he was referring to the Subcommittee’s report on the need for discussions with the Superintendent and retreats. That is not going through policies and updating them; it is engaging in activities for which the full Board should be discussing.

Board Member Lempert asked if the Subcommittee has had any requests or communications outside of the Subcommittee. Board Member Bonini stated for the work of the Subcommittee, they have only communicated with Counsel. Board Member Lempert inquired if their questions focused only on what was out of date. Board Member Bonini explained that Counsel has attended three meetings. Board Member Lempert asked if they were just identifying which policies were out of date. Board Member Camacho related that was how they carried out the last action. Counsel was present when this process was undertaken in 2016 to advise on consistency with Education Code, listen to conversations, and point out holes and gaps.

Board Member Lempert spoke about the retreat, comments about the role of the Superintendent, and Charter School regulations that the Board had not discussed. To him, that went way beyond the role of the Subcommittee. Board Member Alvaro clarified that the goal was not to rewrite the Charter School regulations or the handbook. The Subcommittee discovered that there are four policies around county-wide charter schools that are missing. They would like to bring the policies from the California County Boards of Education (CCBE)/CSBA to the Board for discussion.

Board Member Lempert reiterated his concerns about the Subcommittee proposing discussions about the Superintendent and retreats, which is not his idea of delegation of authority. It is fine for Counsel to provide technical assistance, but for any broader conversations the Subcommittee has no authority other than what was asked for by the Board. He did not expect the Subcommittee to discuss retreats.

Board President Gerard explained that the Subcommittee will bring everything back to the Board once they have put together a policy, at which time they will bring it to the Board to discuss and take action.

Board Member Bonini provided clarification on the governance to which she was referring.
BOARD MEMBERS (continued)

The reason it came up in the Subcommittee is because there are other missing policies on
governance. They are proposing the entire Board participate in a study session about the policies
because it is timely. They are not trying to do anything outside the scope of their role or anything
which does not include the entire Board. She assured that everything will be brought back to the
full Board.

Board Member Alvaro discussed that the subcommittee is going through and deciding which
numbers are out of alignment and will bring all proposed changes back to the full Board. They
are also finding missing policies which CSBA has and CCBE has adopted, and plan to bring
those back to the Board. The entire Board can then decide how to proceed.

Board Member Lempert asked what that had to do with a retreat. Board Member Alvaro
referred to Board Member Lempert’s comments that the Subcommittee should not be making
decisions. She asked if he would welcome the Subcommittee providing their feedback in order
for the full Board to have discussions and make decisions. He stated that was fine.

Board Member Lempert asked about the comments about governance and the Superintendent.
Board Member Alvaro related the Board has authority over its own governance. Board Member
Bonini clarified it would not really be a retreat. Board Member Alvaro suggested it would be
more of a work session. Board Member Lempert expressed his confusion, but he was glad they
were having the conversation.

He emphasized the Board’s need to focus on students and the Board’s role in terms of appeals and
property, but that he is hearing more. He hopes the only involvement and communication with
Counsel has been to determine what policies are out of date. Board Member Lempert articulated
his view that the Board has slightly differing opinions on the expansion of the role of the Board.
There has never been agreement and not every Board member has weighed in. The Subcommittee
should be doing what they did the last time – reviewing policies and determining which are
missing, and then having discussions with the entire Board before moving forward and taking
the time of Counsel and staff.

Superintendent Magee noted there were two things which would support her in this work. The
first was a decision about GAMUT Policy Plus in order to place dates on calendars and organize
staff. It would be helpful to know whether the Board wants to move to GAMUT Policy Plus and
sooner would be better for planning purposes. The second was for her to have time with the
Subcommittee to clear up questions, especially around the Superintendent Policies. There has not
been an opportunity to have that discussion and having 15 minutes would make the process more
effective.

Board Member Lempert expressed as strongly as possible that he did not understand the last
comment because this is not about the relationship between the Board and Superintendent. Board
President Gerard and Board Member Bonini replied that is not what they are talking about. Board
Member Lempert asked if there had been conversations with the Subcommittee about the role of
the Superintendent. Board President Gerard confirmed there had not been and Board President
Bonini stated that was not their job.
BOARD MEMBERS (continued)

Board Member Lempert indicated he did not understand Superintendent Magee’s comments. Superintendent Magee explained she had not been participating in the Subcommittee meetings.

Board Member Alvaro shared that former Superintendent Campbell did not participate in this process, by her choice, and assigned staff to assist. She let them know to call her in if they needed her. It was the same procedure for former Superintendent Holbrook. Superintendent Magee clarified she was only asking for 15 minutes. Board Member Alvaro explained the Superintendent has not been invited because they are not there yet. Board Member Lempert disagreed, indicating he was there during those two examples and was 100% comfortable with the direction of the Subcommittee. Former Superintendent Campbell did not want to spend time updating out-of-date policies, which was all that should be discussed. He expressed his confusion when Superintendent Magee discussed Superintendent Policies and how she wants to be there. Board Member Lempert said he did not feel like he was getting a straight answer and perhaps Deputy County Attorney Beltramo could help at the next meeting.

Board Member Lempert asked if all the Subcommittee had done in communication with Counsel and staff had been reviewing policies and determining which are outdated. That is all they did in the past two examples. Board Member Alvaro discussed the time taken going through the CCBE website and review policies. Board Member Bonini suggested the Subcommittee could share agendas and notes. Board Member Lempert indicated that would be helpful. Board Member Bonini remarked she was unsure how to do that under the Brown Act. Board Member Alvaro suggested it would likely need to be made public.

Board Member Bonini related she felt the Subcommittee was being questioned about whether they were doing the work, and emphasized that they are doing the work. Board Member Lempert referred to the two examples and how the former Superintendents did not want to be involved because it was a time-consuming operation to technically go through the policies. There was no discussion of retreats or roles, and the Superintendents did not want to be there because it was not worth the time. Plus, given the limited role of the Board, moving through the policies should be quick. He referred to Superintendent Magee’s comments about wanting to be there, for reasons he did not understand, and Board Member Alvaro’s comments about not being there yet, and expressed confusion. Board Member Alvaro responded that she did not say they should not invite Superintendent Magee to the next meeting, she just shared that they haven’t because they had been working on other tasks.

Board Member Lempert stated he just heard a conversation about county staff time being needed for something the Subcommittee is talking about, and the Subcommittee said they would not be using any county time. Board Member Bonini reiterated they have not asked for any county staff time.

Board Member Ross described how two different issues were being discussed. One is that the Superintendent has Superintendent Policies in development. At some point there will be a need for the Board to look at past policies under their name which should be Superintendent Policies. The other is that the Subcommittee was preparing to update policies with the possible addition of the service from CSBA. He does not believe that work impedes on the Superintendent and would be
helpful to move that forward. His understanding was that subscribing to GAMUT will save staff time and the Subcommittee was going through the process to be operationally ready to plug into the GAMUT system, in order to automate policies moving forward. Board Member Ross stated he did not understand what Board Member Lempert was seeing.

Board President Gerard stated that the Board needed to move on.

D. Suggested Topics for Future Board Agendas

Board Member Cannon suggested the Board look at the Subcommittees and decide which to keep and which to transition to the entire Board, as they did with the Board Budget Subcommittee. He discussed the traditional problem in education when Subcommittees do the work and make recommendations, and then the Board expresses appreciation but does not move forward with the recommendations. He suggested it would be helpful to talk about the role of Subcommittees and how to accept their work, perhaps at a future meeting or retreat.

E. Board Member Comments

Board Member Ross
Board Member Ross had no comments.

Board Member Alvaro
Board Member Alvaro shared fond memories of Peter Fortenbaugh and what he has meant to her professionally and historically to the County Office. When the County Office was reorganizing the Community Schools, scattered in industrial parks throughout the county, they were looking for a partner with whom to co-locate. Mr. Fortenbaugh and the Boys & Girls Clubs of the Peninsula jumped at the opportunity to welcome and co-locate the schools to the Boys & Girls Clubs facilities. They created wonderfully strong partnerships because students were able to engage in after-school activities and Boys & Girls Clubs children were able to interact with community school students. Mr. Fortenbaugh made that happen.

Board Member Alvaro described when she served as Interim Executive Director for the restructuring Coastside Boys & Girls Club, there were no rules or protocols in place. Mr. Fortenbaugh provided his materials and invited her staff to shadow his staff. She couldn’t have done the work without his assistance. They also worked together on a number of countywide projects, and he was always willing to help if it benefited students. She described his big heart and how his top priority was doing anything to help those who were helping children. The county is a far-poorer place without him.

Board Member Lempert
Board Member Lempert had no comments.

Board Member Cannon
Board Member Cannon had no comments.
BOARD MEMBERS (continued)

Board Member Camacho
Board Member Camacho reported that he recently attended a meeting with Congresswoman Speier, who was a featured speaker at the Fixin’ San Mateo County meeting, which has been working on Sheriff’s oversight. He shared he would miss Congresswoman Speier dearly as a legislator because she is masterful at approaching conversations and problems using her wisdom, experience, and insight. It is beautiful to watch her in action and she has done amazing work for the county.

Board Member Bonini
Board Member Bonini thanked the staff for the evening’s excellent presentations and reported she learned a lot.

Board Member Bonini informed she attended the last few Juvenile Justice and Delinquency Prevention Commission (JJDPC) meetings and Principal Johnson’s reports have been amazing. There are many things going on, and she is excited to learn more about them. She thanked Principal Johnson for being present and shared that the JJDPC members have been incredibly appreciative.

Board President Gerard
Board President Gerard commented that it was nice to have seven Board members present at the meeting, even with one attending remotely, which has not happened in a long time.

11. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 11:40 p.m. in honor of Peter Fortenbaugh, longtime CEO of the Boys & Girls Clubs of the Peninsula and an inspirational and dedicated community leader who deeply impacted thousands of children and families through the years. Mr. Fortenbaugh engaged countless partners and volunteers who were inspired by his vision and commitment to providing youth from our county’s under-resourced neighborhoods with a supportive community and bright future. He was a good, kind, and big-hearted man whose top priority was always the youth he served and while he will be deeply missed, his legacy of service and love will live on far, far into the future.

Board President Gerard announced the next Regular Meeting would take place on Wednesday, October 26, 2022, at 7:00 p.m.

Nancy Magee, Secretary
jlp