

Contra Costa County Board of Education

MINUTES

Board Meeting
May 6, 2020

MEMBERS

Fatima Alleyne, Area 1 Trustee
Sarah Butler, Area 2 Trustee
Vikki Chavez, Area 3 Trustee
Mike Maxwell, Area 4 Trustee
Annette Lewis, Area 5 Trustee

STAFF PRESENT

Lynn Mackey, Superintendent
Bill Clark, Deputy Superintendent, Business Services
Cheryl Cotton- Assistant Superintendent, Human Resources
Terry Koehne, Chief Communications Officer

Cynthia Schwerin- Deputy County Counsel

1. CALL TO ORDER

President Chavez called the meeting to order at 5:00 p.m.

2. GENERAL INFORMATION

3. OPENING PROCEDURES

3.1 Roll Call

All Board members present.

3.2 Agenda Review and Adoption

Superintendent Mackey reported that agenda item 10.3 has been withdrawn and agenda item 10.4 should read Resolution 12-19/20, not Resolution 10-19/20.

Lewis moved, Dr. Alleyne seconded and the Board voted 5-0-0 to adopt the agenda as amended.

Ayes: Alleyne, Butler, Chavez, Lewis, Maxwell

Noes: None

Absent: None

4. CLOSED SESSION- NONE

5. RECOGNITIONS- NONE

6. CONSENT AGENDA

6.1 Consent Agenda

6.2 Board Meeting Minutes – April 22, 2020

6.3 Review of Williams Uniform Complaint Quarterly Report (Khan)

6.4 Consider Acceptance of Public Gift (Clark)

Butler removed agenda item 6.2 Board Meeting Minutes, April 22, 2020 for additional revisions.

Dr. Alleyne inquired about agenda item 6.4 Consider Acceptance of Public Gift, on how the funds will be used. Bill Clark responded by explaining that the public gift from Travis Credit Union will be used for distance learning technology expenses, including laptops and hot spots for students and districts.

Maxwell moved, Lewis seconded and the Board voted 5-0-0 to approve Consent Agenda as amended.

Ayes: Alleyne, Butler, Chavez, Lewis, Maxwell

Noes: None

Absent: None

Lewis moved, Dr. Alleyne seconded and the Board voted 5-0-0 to accept the public gift indicated on Item 6.4.

Ayes: Alleyne, Butler, Chavez, Lewis, Maxwell

Noes: None

Absent: None

7. PUBLIC COMMENT

7.1 Public Comment

4 Public Comment forms submitted for agenda item 7.1. All Public Comments received before and during this meeting are attached to the minutes and attached to 7.1 on May 6, 2020 BoardDocs agenda.

8. PUBLIC HEARINGS- NONE

9. SUPERINTENDENT'S UPDATE

9.1 Superintendent's Update

Superintendent Mackey reported on Covid-19 issues, specifically distance learning. Superintendent Mackey shared a PowerPoint presentation where she highlighted examples of CCCOE employees meeting virtually and examples of distance learning in our programs, special education, ROP and court/ community schools including Mt. McKinley School's closed-circuit television lessons created by Mt. McKinley teachers. Also, mentioned the technology being distributed to our students and parents. Superintendent Mackey also shared some messages for our students who are graduating from our programs this year. Student engagement data was shared for most CCCOE programs. Please see BoardDocs for entire PowerPoint presentation.

Board members commented on the student engagement asked questions regarding students returning to school and student absenteeism compared to student engagement numbers.

1 Public Comment forms submitted for agenda item 9.1. All Public Comments received before and during this meeting are attached to the minutes and attached to 7.1 on May 6, 2020 BoardDocs agenda.

10. BUSINESS/ACTION ITEMS

10.1 LCAP Update (Tokuyoshi)- INFORMATION

Senior Director, Education Services, Marsha Tokuyoshi, introduced Director, Margo Olson to present the LCAP update. Ms. Olson shared a PowerPoint presentation on LCAP updates and information. Due to Executive Order from CDE, N-56-20 LCAP due date has been extended to December 15, 2020. The budget will be separated from the

LCAP submission and that budget is due July 1, 2020. That document will be referred to as the Operations Written Report. The December 15, 2020 LCAP is a new template and will be a one-year LCAP, for 20/21. The 3 year LCAP will be postponed until next year. The Operations Written Report has 5 different prompts, including description on how schools are meeting the needs of students with distance learning, school meals and supervision. The report will be adopted at the meeting in which the governing board would have adopted the annual budget. Due by July 1, 2020. County Office will not approve the Operations Written Report, they will just receive a copy of it. The LCAP template, due December 15, 2020 is expected to be received this fall. Testing waiver was approved on March 27, 2020. We will not have the typical data in the Dashboard this year because of these waivers. Ms. Olson reviewed the title spending deadlines, which are extended but spending purposes have not changed. Still awaiting State legislature to waive Dashboard 2020. Ms. Olson then displayed the Covid-19 Operations Written Report form and explained form fields. Any school that would submit an LCAP, will submit a Covid-19 Operations Written Report.

Board members asked questions about the Covid-19 Operations Written Report, districts receiving differentiated assistance, and the accessibility of the Operations Written Report after they are submitted and Operations Written Report approval process.

Trustee Butler requested links to reference to documents mentioned in the PowerPoint. Ms. Olson mentioned that the new template is not available yet, it is not expected until this fall.

Director, Margo Olson introduced Director, Rebecca Vichiquis to share a PowerPoint on Stakeholder Engagement in CCCOE programs. Ms. Vichiquis shared engagement meeting information for Golden Gate and Mt. McKinley School, although most meeting were canceled due to shelter-in-place. The summary of stakeholder feedback was shared in the areas of social/ emotional, college and career, curriculum and facilities and parent engagement as ideas for LCAP goals for Golden Gate and Mt. McKinley School.

Board members asked questions regarding engagement meetings and plans for meetings and collaboration as we begin to reopening and come out of shelter-in-place.

Please see audio file on BoardDocs for full details on this agenda item.

10.2 Budget Update (Clark)- INFORMATION

Deputy Superintendent Bill Clark shared a PowerPoint presentation on the Contra Costa County Budget Update. Mr. Clark introduced the item with changes of legislation in which CCCOE is responsible for fiscal oversight of districts in the county in places of fiscal insolvency. BASC release advisory calling for 0% COLA as a result of economic conditions. Focusing on measures to prepare for these kinds of reductions of potentially a negative 2%- negative 10%. Mr. Clark spoke about Multiyear projections going back to the 2008 recession, we saw a negative 8% the first year and negative 18% the second year. We are seeing a negative 10% the first year in 2020. 20/21 will feel an impact as well as a second wave in 21/22. A couple districts may run out of cash before the end of this year, Mr. Clark discussed cash flow short fall. Mr. Clark is tracking Federal government in terms of relief available and flexibility on restrictions for use of funds. Mr. Clark discussed our share of Federal stimulus to be used for expenses incurred for distance learning and cleaning/ prevention supplies. We are trying to apply for all available funding sources. May revise will be place holder budget. Mr. Clark highlighted next steps and due dates, December 16, 2020 First Interim and LCAP approval.

Board members asked questions regarding districts receiving differentiated assistance, possible cuts in special education, district budget information, County Board budget approval timeline, definition of teeter plan,

1 Public Comment forms submitted for agenda item 10.2. All Public Comments received before and during this meeting are attached to the minutes and attached to 7.1 on May 6, 2020 BoardDocs agenda.

Please see audio file on BoardDocs for full details on this agenda item.

10.3 Consideration of Material Revision(s) for the Making Waves Academy Charter School (Clark) - INFORMATION (WITHDRAWN, see below)

This item has been withdrawn by Making Waves Academy.

10.4 Resolution 10-19/20 - Material Revision(s) for the Golden Gate Community School (Khan) – ACTION

Senior Director, Student Programs, Lindy Khan shared a document with proposed changes to Golden Gate Community School. This material revision will close 2 sites, the Martinez and Rodeo sites, and move into a desirable location in Richmond area. This will accommodate the large number of Richmond students who currently go to Martinez and Rodeo classrooms. RPAL location in Richmond has extensive resources for students, including a gym and recording studio. We would have access to 2 large classrooms. The lease for this site will net a substantial saving for the Contra Costa County Office of Education. This site leaves room to expand or retract, according to enrollment. Ms. Khan presented Resolution 12-19/20 (corrected Resolution number) with details of all Golden Gate School locations.

Board members asked questions about lease agreement timeline, number of students who would go to RPAL and location of students, school calendars/ hours in relation to student's district and specific cost analysis on savings.

Dr. Alleyne requested that the information on number of instructional minutes brought back to the Board at a later meeting as an update once the law has changed.

Maxwell moved, Lewis seconded and the Board voted 4-1-0 to approve the material revision as presented.

Ayes: Alleyne, Chavez, Lewis, Maxwell

Noes: Butler

Absent: None

Please see audio file on BoardDocs for full details on this agenda item.

10.5 Clayton Valley Charter High School Memorandum of Understanding (Clark) – ACTION

Deputy Superintendent Bill Clark shared a document with proposed changes to the Clayton Valley Charter MOU. The document has been through several stages of editing and adjustment, Mr. Clark is hoping the Board can take action on deleted items in the document.

Trustee Dr. Alleyne:

Element 1: Language is different in appendix. The Element 1 language says, "a parent or guardian if they choose", which conflicts with the appendix and parents are required to be in IEPs.

Element 3: What change is being made?

Element 14: Dr. Alleyne agrees

Element 15: Question about why redistributing assets to MDUSD given that it was a conversion charter?

Miscellaneous Charter Provisions: Are the changes in bolded text?

Dr. Alleyne requested that we add the latest MOU with the work that has already been done.

Trustee Butler

Element 1: Agrees that parents need to be included in IEP.

Miscellaneous Charter Provisions: Delete the added language? Mr. Clark: correct

Trustee Lewis

Miscellaneous Charter Provisions: Clarification, is the language going to be deleted or unbolded? Mr. Clark: deleted

Jim Sheibel clarified that the chart shows revisions to the charter petition language, not the MOU language.

Dr. Alleyne provided clarity as Chair of Charter Standing Committee.

Further clarification on Elements 1, 2, 3, 14, 15

Elements 4, 5, 10 are fine, as agreed upon.

Dr. Alleyne moved, Lewis seconded and the Board voted 4-1-0 to approve the document as amended.

Ayes: Alleyne, Chavez, Lewis, Maxwell
Noes: Butler
Absent: None

Please see audio file on BoardDocs for full details on this agenda item.

10.6 Charter School Update (Clark) – INFORMATION

Deputy Superintendent Bill Clark shared information that we have received an appeal from Manzanita Charter School. The appeal will be heard on June 3 and voted on at the June 17 Board meeting. The charter was denied by WCCUSD, despite staff recommendation. Dr. Alleyne offered to schedule a Charter Standing Committee Meeting before the June 3 Board Meeting.

Mr. Clark continued to share a document on charter distance learning and meal distribution.

Board members asked questions regarding visits to the charters during meal distribution, how many charter schools applied for Payroll Protection Act?

Mr. Clark reported on his office working with charters on their budgets and cash flow planning, also touched on the SPA building purchase. SPA's operating expenditures would be reduced by purchasing the building. Seems to be a sound financial move for SPA.

1 Public Comment forms submitted for agenda item 10.6. All Public Comments received before and during this meeting are attached to the minutes and attached to 7.1 on May 6, 2020 BoardDocs agenda.

Please see audio file on BoardDocs for full details on this agenda item.

10.7 Resolution 11-19/20 - Order of Consolidation of County Board of Education Trustee Area Elections (Clark) – ACTION

Deputy Superintendent Bill Clark shared a resolution, Resolution 11-19/20 requesting trustee areas up for election be placed on the November ballot.

Board members asked about cost of elections.

Dr. Alleyne moved, Maxwell seconded and the Board voted 5-0-0 to approve the resolution as presented.

Ayes: Alleyne, Butler, Chavez, Lewis, Maxwell
Noes:
Absent: None

Please see audio file on BoardDocs for full details on this agenda item.

11. CABINET MEMBER UPDATES

11.1 Cabinet Member Updates

Bill Clark reported on his work on school reopening, distance learning, county wide procurement of supplies.

Cheryl Cotton reported on working from home, Human Resources newsletters going to staff during this time.

Terry Koehne reported on Teacher of the Year updates, applications have been received. Finalists will be announced next week. Reminded everyone to follow CCCOE on social media.

12. LEGISLATIVE UPDATE- NONE

13. EVENTS CALENDAR

13.1 Calendar of Events

13.2 Board Meeting Dates

Next Board Meeting is June 3 via Zoom.

14. BOARD REPORTS

14.1 Board Reports of Activities

Trustee Dr. Alleyne attended the following:

West Contra Costa Board Meeting in April

Congresswoman Barbara Lee's Town Hall on April 27th

Cares Act, Barbara Lee & Stacey Abrams Let's Connect on April 27th

A Digital World: Rethinking High School Internships by Lawrence Berkeley National Lab on April 29th

CCC School Board Association State Board Meeting April 30

Distributed over 1000 meals to members of community since pandemic started

CVCHS Graduation

CCBE Conference Planning Committee Meeting

Trustee Butler attended the following:

West Contra Costa Board Meeting in April

CCCSBA Zoom Meeting on April 30

CSBA webinar, Open Board Meetings in Covid-19 on May 1

Senator Glazer staffer meeting, in preparation for May Revise, attending next week

Trustee Maxwell attended the following:

CVCHS Graduation

Monte Vista Graduation

Cal High event

SRVUSD events

Trustee Lewis attended the following:

CSBA webinar, Open Board Meetings in Covid-19 on May 1

East County Graduations

Senator Glazers Town Halls

Virtual meetings with constituents

15. ADJOURNMENT

15.1 The President will adjourn the Board meeting

President Chavez adjourned the meeting at 7:47 p.m.

PUBLIC COMMENT 7.1

PUBLIC COMMENT #1

I'm emailing you today in opposition to the expansion of Making Waves Academy (MWA). I will provide several reasons for this position. The expansion of MWA will have a dire financial impact on West Contra Costa USD. We are already in a financial crisis, and this will only make it worse. There is no need for this expansion; it is a duplication of services of what we have in the public system. MWA owns a building across the street from my school, Pinole Middle School, and was planning to turn it into an elementary. There was a huge public outrage which caused them to back out of their plans and to agree to sell the site to the city of Pinole. Now, they're trying another way to get their expansion. This is not honest and is disrespectful to the community who loudly rejected this expansion. MWA at Hilltop has already taken over approximately 13.4 acres of Industrial Business land that contained 165,387 square feet of one- and two-story commercial and industrial developments. According to the General Plan for the City of Richmond, the Southern Shoreline and Hilltop areas were supposed to promote uses such as high-density housing. The school is already poorly located, causing traffic, parking, and public safety problems that would only be worsened by this expansion. MWA began as a selective organization, and still is one. Its student body is not reflective of the population of the WCCUSD. For example, according to its 2018-2019 SARC, they have 5.6% Students with Disabilities, while Richmond HS has 10.3% and Kennedy HS has 12.8%. MWA has 0.9% Homeless and Foster Youth while Richmond HS has 5.1% and Kennedy HS has 8.4%. MWA has 23% English Learners while Richmond HS has 39.6% and Kennedy HS has 37.8%. MWA has 86.1% Socioeconomically disadvantaged while Richmond HS has 93.5% and Kennedy HS has 94.8%. MWA boasts about a higher graduation rate, but this article points out that charter schools often have lower graduation rates than traditional public schools. Is MWA's claim about a higher graduation rate based solely on the graduating class of seniors, or does it look at those who dropped out after entering MWA as freshmen? Charter schools often base graduation rates on the current senior class. MWA is highly segregated. Like other charter schools, MWA has an overwhelmingly Hispanic/Latino student population. In MWA's case, they have 85.7% Hispanic/Latino and only 7.9% Black/African American, along with only 1.6% Asian, 0.1% Filipino and 1% White. Compare this to the WCCUSD average of 55% Hispanic/Latino, 15% Black/African American, 10% Asian, 5% Filipino and 10% White. We should be going in the direction of more integration, not more segregation. For all the aforementioned reasons, I am asking that you deny the MWA expansion. Thank you for your consideration.

Joseph Glatzer, History Teacher, Pinole Middle School, West Contra Costa USD

PUBLIC COMMENT #2

I have one thing to add. As a public school teacher, my school has received a student mid-year from Making Waves. They were "counseled out" of Making Waves Academy, because according to the mother, the school told her to go to a public school because Making Waves couldn't support him with his learning challenges. Comparing test scores of Making Waves and public schools is comparing apples and oranges. We can't counsel out students and we take everyone in the community, including those who leave charter schools mid-year.

Joseph Glatzer, History Teacher, Pinole Middle School

PUBLIC COMMENT #3

Dear Lynn Mackey, Bill Clark and COE Board members, This talk of the possible future budget reminds me of the Mushroom Cloud presentation Bill made back in 2009. I still have a copy of that mushroom cloud. Bill, you tried to convince staff that the world was going to end, that there was no more money in the future. We quickly learned that was not the case when we, certificated staff, did our part to keep the CCCOE solvent and did not continue to bargain for a raise. The CCCOE turned around and gave significant raises to all the upper management. The CCCOE did not see that as "a raise for one is a raise for all" as you are stating now at the

bargaining table. The Me Too clause seems to work one way, that way is in your favor only. It is also interesting that all these years of "deficit" spending the CCCOE was able to continue to build up their reserves. According to Bill, he has been deficit spending every year for past 15 years with no new revenues coming in. Yet yesterday, the Governor said that last year's May revise showed the state of California had \$21.4 BILLION SURPLUS - but according to Bill the state was broke and no money was coming our way. Another interesting fact since 2009 is how many more administrator positions have appeared. The CCCOE student enrollment has been reduced significantly, yet management has doubled. Bill continually makes references to the loss of students and the amount of the certificated raise - which remember everyone gets - unless management wants more. Even in times of extreme financial difficulty the management finds a way to give raises by way of promotions, creating new positions, or simply changing a position's title. Which is sad because the salary difference between a teacher on step 13 and one at year 28 (15 years difference) is \$13,000. Once one makes it to "Longevity Steps", a place you feel you earned for your dedication and hard work for the COE, you barely get rewarded. Lastly, I'd like to ask why Mt. McKinley School has to create its own curriculum? There is board approved curriculum on the COE website but that is not being used. In fact, there are no books permitted, except the novels for English. The teachers are spending countless hours each week for the past 2 years looking for (on the internet), and creating their own Math, Science, History, and SEL (Social Emotional Learning) curriculum and piecing together lessons almost week by week. It takes many teachers' hours, often days of working together, requiring substitutes for their classes, and late at night on their own. Often the work is not put together but a few days before it is to be taught. How is this happening? This is not the teachers' job. Where is the curriculum? The Coronavirus shelter in place it just adds another layer of added work and stress. CCCSEA would like a fair raise. We deserve better.

Eileen Baar CCCSEA Bargaining Chair

PUBLIC COMMENT #4

Please give teachers a raise. I feel I am expected to now write curriculum. I received the following email from a colleague who has so far planned the math at our school. This is what she does in order to plan our curriculum. We have now become textbook writers from non-peer reviewed source or evidence based curriculum. I am feeling expected to do the same. I do not want to just Google what I teach and I am worried it is a liability since the information might be incorrect, outdated, and/or is biased. "Hi All! I wanted to follow up our earlier meeting with an email just to add a bit more clarity on the process I have been using to compile the prerequisite skills portion of the packet. Finding resources to include is fabulous, but honestly what is much more helpful is then taking time to refine the resources so that it doesn't become overwhelming with a bunch of worksheets to add to the packet. I am a visual learner so let me show you what I mean. Let's say that I am working on compiling a packet for Photographs, with the focus standard being: 7.G: Geometry Draw, construct, and describe geometrical figures and describe the relationships between them. First things first, I would look over the task to find what specifically it is asking the kids to do. In the case of Photographs, we are finding the perimeter of rectangles and working to solve problems with scale drawings. This is a 7th grade standard, but since we do not want to assume the students know how to do it without some scaffolds, I would look for a graphic and a few basic problems to get them on the right track with the process. For example, a graphic to help them could look like this: Then I would look for some problems that support finding the perimeter. Instead of just adding a whole worksheet like this: I would, instead, chose a few problems to include that help with the standard/ concept like this: Then, I would take all of these pieces and compile them on a word doc to use as a page for our prerequisite skills like this one found here. I have to use a snipping tool to compile the resources since I haven't used an entire worksheet for prerequisites and have chosen specific problems, and it does take a bit more time than just finding worksheets that match the skill, but the end result is a specifically curated worksheet with explicit instruction in the skills we really need to students to know to access the task. I know that there are more layers to the task beyond just perimeter, but this is scaffolding for the students to get them ready to move on to more difficult skills. I hope this helps. I just wanted to make the process I have been using more visual for everyone. Let me know if you have any questions. Thanks!" Gina McLean

PUBLIC COMMENT #5

Dear Superintendent Mackey, My name is Stephanie Brown. I am a special education teacher for Floyd I. Marchus School, where I have worked for nearly three years. I am writing to request that the CCCOE please fairly settle the contract with the CCSEA. As you know, your county teachers are working very hard in very uncertain conditions. The county-wide, state-wide, and world-wide uncertainty brought by COVID-19 makes this time very difficult for us all. Despite uncertainty in the world, we can work to create stability for our students by continuing to teach and engage them, despite the remote-learning platform. I see my coworkers demonstrating incredible flexibility and commitment in trying to help students who are especially challenged by these conditions. I and other teachers take solace in our educational mission, but it is extremely disheartening to do this work and feel that the county does not adequately support us. Fair and transparent contract negotiations are part of how an administration demonstrates their support for their teachers. During teacher appreciation week, I would love to see your commitment to and appreciation of your teachers demonstrated by settling our contract in a manner that is fair to us. It is disheartening to hear claims that there are not sufficient financial resources to meet our demands. We know that is not the case. Teacher salaries should be a priority for the county. I am writing to urge that you please settle the contract fairly. I urge you to make certain discussions about the budget are transparent and honest. Your hard-working teachers deserve as much. Thank you for your consideration. Stephanie Brown

PUBLIC COMMENT #6

This is now the second board meeting I've watched via Zoom, and in each meeting, Ms. Chavez is extremely disrespectful to her fellow board members. Is this the norm? We teach our students to be respectful to one another and expect the members of the board to do the same with one another. People are watching and listening and she's ridiculously rude. Jamie Hallowell

AGENDA ITEM 9.1

PUBLIC COMMENT #1

I'd like to know where Lynn Mackey is getting her data for the Marchus School as neither upper management or administration have contacted me personally to discuss my 8 students. Jamie Hallowell

AGENDA ITEM 10.2

PUBLIC COMMENT #1

Would love to see a breakdown by program, by school of the "distance learning costs" because I know how much I've personally spent to support my students via distance learning. Not one dime came from CCCOE. Jamie Hallowell

AGENDA ITEM 10.6

PUBLIC COMMENT #1

I have learned that many students throughout the school year leave charter schools that you oversee, to attend traditional public schools, such as Pinole Middle School and DeJean Middle School. I'm assuming that they also enter into other district middle and high schools as well, but I work at the two mentioned, and have seen many students registering mid-year. It is good for WCCUSD to get these students re-enrolled at our schools again, but it is disruptive to the students, families and schools. I have heard that many charter school students get "counseled out" as they do not fit into the charter school environment and others decide to leave on their own terms. I have heard that is often 3 students on average per week, that re-enroll at these district schools. Clearly there is a problem with the charter schools and how they are run. I would encourage you to visit them and find out what is going on to cause so many to leave these charter schools. At Summit in El Cerrito, there is a very high staff turnover. A substitute teacher reported to me that front office staff could only be contacted via email, when help was needed in classroom. This a safety issue. This substitute stated that while subbing at Making Waves Academy, students were very well behaved and there was a lot of focus on rules and manners, but not much teaching going on. Thanks for your time. Linda