

**SAN JOAQUIN COUNTY BOARD OF EDUCATION
GAYLORD A. NELSON ADMINISTRATION CENTER / BOARD ROOM
2922 TRANSWORLD DRIVE, STOCKTON, CA
DECEMBER 21, 2022 / 12:00 P.M.
REGULAR MEETING
MINUTES**

PRESENT: Vernon Gebhardt, President; Doug Vigil, Vice President; Ken Vogel, Board member; Janet Dyk, Board member; Greg Clark, Board member; Troy Brown, Secretary.

OTHERS PRESENT: Scott Anderson, Deputy Superintendent; Janine Kaeslin, Associate Superintendent; Brandie Brunni, Assistant Superintendent; Sean Morrill, Assistant Superintendent; Jane Steinkamp, Assistant Superintendent; Christina Torres-Peters, Chief Human Resources Officer; Peter Foggiato, Melanie Greene, Joni Hellstrom, Terrell Martinez, Monica Vallerga, Aggie Christensen, Lauren Dietrich, Brandy Thurman, Christina Lewis, Rachele Tyler, Stephanie Bailey, Marlene Flau, Brandie Moore, Lisa Neugebauer, Kristie Rose, Carly Sexton, Nancy Hopple, Grace Luke, Jennifer Pool, Kailyn Hill, Kim Borges, Melissa Galea, SJCOE staff; Davina Harden, Legal Counsel; Phillip Hon, Unbound Stockton Community School Charter; members of the community; Alyssa Denney, Lori Strauther, Interpreters; Lisa Bryant, Recorder.

I. CALL TO ORDER:

President Gebhardt called the meeting to order at 12:00 p.m. Board member Vogel led the Pledge of Allegiance.

II. ADDITIONS TO THE AGENDA: There were no additions to the agenda.

III. COMMENTS: There were no comments from the audience.

IV. ITEMS SCHEDULED FOR INFORMATION:

1. California Mathematics Placement Act of 2015 Report: County Operated Schools and Programs (COSP) Director Brandy Thurman presented the California Mathematics Placement Act report related to the one.Program Court and Community schools. She reported there were 73 ninth-grade students re-evaluated through a math placement check within the first 30 days of the academic calendar year. No teacher stated a concern that a student was inappropriately placed. The data shows the student mathematic placement is appropriate and confirms that no students were held back in a disproportionate manner.

V. ITEMS SCHEDULED FOR ACTION:

2. Minutes: On a motion from Janet Dyk, second by Ken Vogel, the Board approved the minutes from the November 16, 2022, meeting as presented.

AYES: Gebhardt, Vigil, Vogel, Dyk, Clark
NOES: None
ABSTAIN: None

3. Unbound Stockton Community School Charter Petition Appeal: Associate Superintendent Janine Kaeslin reported that a committee of San Joaquin County Office of Education (SJCOE) staff conducted a thorough review of the petition appeal utilizing the criteria for consideration and action on an appeal from a district denial of a charter set forth in Education Code Section 47605. In accordance with the law, the SJCOE posted the staff analysis and proposed findings of fact recommendation to deny the Unbound Stockton Community School Charter Petition appeal on December 6, 2022, on the basis detailed in the staff analysis and in accordance with the requirements of the Charter Schools Act of 1992. Ms. Kaeslin introduced Unbound Stockton Community School lead petitioner Phillip Hon and Board Chairman Joel Karanyoung.

Board Chairman Joel Karanyoung shared a binder with the Board members that included additional context on the continued work of Unbound Stockton Community School. Phillip Hon then shared a PowerPoint presentation for the Board including updates on finances and budget, teacher recruitment and salary, special education services, and facilities costs.

Comments were heard from several members of the public in support of Unbound Stockton Community School.

"The schools strong financial plan creates a sustainable budget that relies on no public funding. The May revise created large increases and reserves, and since then, with more good news from the state, we have been able to increase teacher salaries. -B. Fleming, Vice President of EdTech"

"We are excited to welcome Unbound Stockton and their community-based model. Both of our teams have worked out a lease, partnership, and terms where they can be successful with a fall 2023 opening. We are excited for this new partnership and urge you to approve this charter. We will work hard to keep the communications open and facilities in good standing. -C. Horton, Trinity Church"

"As we are departing, we want to support Unbound as much as possible to leave them with whiteboards, etc. that we don't need. We are willing to help and support them in their endeavor as we can. We hope you give them the opportunity. -T. Salina, Aspire Schools"

"I want to teach at Unbound because it is the only other school that makes me feel good. Its supports are similar to my current school; three weeks of professional development in a year. They provide an environment for me to be my very best and serve students in my home community. -S. Pedro, Educator and Stockton Resident"

"This is a school environment that as new educators would give us help and support in learning. Please give us the opportunity to develop within this school model. -J. Kap, Educator"

"The friends I made at Unbound Stockton camp are with me. We all attend different schools; district, charter, and homeschool. We would not have had the chance to meet if we didn't go to Unbound Stockton. We have had the experience of learning through local businesses, maker spaces, and community gardens. We know this is how we want to learn and can be successful in our community. We are all standing here today because we want to attend Unbound Stockton next fall. -Z. Green, 5th Grade Student"

"It is unlike any other school in Stockton Unified. They will give scholars from all backgrounds an active approach to learning with high-quality education. -E. Norman, Educator"

"I believe in their vision and want to be a part of this team. Unbound carves out planning time four times a week. It would no longer be a struggle to collaborate because it is built into the day. They reflect the environment I can grow in as an educator. I ask you to approve Unbound Stockton for us. -T. Craig, Educator"

"I am interested in and would leave my role as a social worker and work at the school because I believe in it so much. So many community members have been a part of shaping the school and have been impacted by it. Today we collectively ask for your vote of approval. -L. Green"

Comments were heard from several members of the public opposing Unbound Stockton Community School.

"I spoke on October 19 about how the fiscal impact would affect George Washington. Stockton Unified School District would have to make some changes and that would be my school that is small at less than 300 students. Accept denial because Stockton Unified has the schools that are doing the same thing. -S. Cantu, Educator"

"The enrollment plan is a violation of ed. code and is discriminatory as presented. I am concerned the impact that it will have on teachers with the work they are asking them to do. -F. Bryce Perez, President, Stockton Teachers Association"

"450 charters have opened in places that already have enough classrooms to open and serve the students. Really what I want to highlight is that charter schools have been good about wording to say they can serve better than others. There are 250 signatures on the petition to reject the Unbound Stockton petition. -L. Bara, Labor Relations Representative"

"The Stockton Unified School District Board voted unanimously to deny based on similar findings of school district staff. The district is not adverse to charter schools. The district is well versed in its oversight duties, and the Board was informed of the standards and criteria set forth. We encourage the Board to deny the petition and support the findings. -J. Yah, Stockton Unified Legal Counsel"

"I am united with STA leadership, CSEA leadership, employees, district, and staff. I respectfully request that you honor the recommendations from the Stockton Unified staff and deny the Unbound Charter. -T. Miller, Interim Superintendent, Stockton Unified School District"

Comments from the public submitted electronically were read into the minutes:

Stockton Teachers Association:

201 people have signed a petition on Action Network telling you to Support Stockton Students: Deny the Unbound Charter Petition!

Here is the petition they signed:

Please vote to deny the Unbound Stockton Community Charter School petition, and instead stand up for all Stockton students to have the strong schools that they deserve. The proposed school is demonstrably unlikely to successfully implement the program set forth in the petition, does not include all of the required elements, and will have a negative fiscal and community impact for Stockton students.

*** The proposed school intends to target a student demographic for enrollment that would result in a significant under-enrollment of Latino, Black, socioeconomically-disadvantaged, and English learner students (and over-enrollment of white and Asian students) compared to SUSD and the City of Stockton. This enrollment plan is a violation of the Education Code and discriminatory as designed.*

As the SUSD board found: "In an attempt to justify its desire not to serve a proportion of traditionally underserved students within SUSD's pupil demographic, [Unbound Charter School] engages in rhetorical doublespeak, claiming that it can rectify deep-seated patterns of segregation by operating a public charter school ... that has an explicit objective of not serving its fair share of the District's underserved students...."

*** The proposed school is ambiguous as to both how it will serve students with disabilities, and how it will account for funds designated for that purpose.*

*** The school's enrollment and budget assumptions are unrealistic, do not account for attrition, and are unreasonable considering that the school intends to serve students in an untraditional 4th through 8th grade-span.*

*** The program proposed by the petition has significant duplication of existing programs in both district and charter schools in Stockton.*

*** The proposed school could cost the school district up to \$14 million during it's proposed 5-year term, resulting in deficit spending, as well as cuts to staffing, programs and services that Stockton students depend on.*

For the above reasons, and others, the petition should be denied.

On a motion from Janet Dyk, second by Greg Clark, for reasons detailed in the Staff Analysis based upon the staff recommendations, the Board adopted the Staff Analysis and Proposed Findings of Fact as presented and denied the Unbound Stockton Community School Charter Petition appeal.

AYES: Gebhardt, Vigil, Vogel, Dyk, Clark
NOES: None
ABSTAIN: None

4. 2022 – 2023 First Interim Financial Statement: On a motion from Doug Vigil, second by Greg Clark, the Board approved the 2022 – 2023 First Interim Financial Statement and authorized the President of the Board to sign a positive certification as presented.

AYES: Gebhardt, Vigil, Vogel, Dyk, Clark
NOES: None
ABSTAIN: None

5. 2022 – 2023 School Plans for Student Achievement: On a motion from Doug Vigil, second by Greg Clark, the Board approved the School Plans for Student Achievement for the San Joaquin County Community schools, San Joaquin County Court schools, and San Joaquin County Special Education schools as presented.

AYES: Gebhardt, Vigil, Vogel, Dyk, Clark
NOES: None
ABSTAIN: None

6. Board Member Absences: On a motion from Janet Dyk, second by Ken Vogel, the Board approved the absences of Board members from the October 19, 2022, and November 16, 2022, regular meetings.

AYES: Gebhardt, Vogel, Dyk
NOES: None
ABSTAIN: Vigil, Clark

VI. CLOSED SESSION:

- Expulsion Appeal Hearing #22-23/01

VII. ITEMS SCHEDULED FOR ACTION (cont.):

7. Expulsion Appeal Hearing #22-23/01: On a motion from Ken Vogel, second by Janet Dyk, the Board granted the appeal of the decision to expel student #22-23/01 from the Escalon Unified School District and ordered that the student be reinstated and that the Escalon Unified School District expunge the record of the pupil and the records of the district.

AYES: Gebhardt, Vigil, Vogel, Dyk
NOES: Clark
ABSTAIN: None

VIII. CLOSING COMMENTS FOR BOARD MEMBERS:

- The next regular San Joaquin County Board of Education meeting will be held January 18, 2023, 12:00 p.m., 2922 Transworld Drive, Stockton, CA.

IX. ADJOURNMENT:

There being no further business, the meeting was adjourned at 3:15 p.m.

Respectfully submitted,

 **REDACTED**

Troy A. Brown, Ed.D.
Secretary to the Board / County Superintendent of Schools