

File No. 101493

Committee Item No. \_\_\_\_\_  
Board Item No. 43

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date \_\_\_\_\_

Board of Supervisors Meeting

Date 3/1/11

#### Cmte Board

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<input type="checkbox"/>	<input type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form (for hearings)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
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<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
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#### OTHER

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Charter Amendment

Completed by: Linda Wong  
Completed by: \_\_\_\_\_

Date 2/24/11  
Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

[Charter - Compensation of Board of Education members]

## CHARTER AMENDMENT

### PROPOSITION \_\_\_\_

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Section 8.100, to increase the compensation for members of the Board of Education from a monthly stipend of \$500 to one-half the annual salary of a first-year teacher in the San Francisco Unified School District, establish training and professional development requirements for Board members, and require the City annually to appropriate to the Unified School District an amount sufficient to pay the members' salaries until the State has repaid the District for any outstanding reductions in Proposition 98 funding.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on June 7, 2011, a proposal to amend the Charter of the City and County by amending Section 8.100, to read as follows:

Note: Additions are single-underline italics Times New Roman.  
Deletions are ~~strikethrough italics Times New Roman~~.

#### Section 1. Findings.

(a) The Board of Education of the San Francisco Unified School District has a profound responsibility to create and foster the conditions in which each of the City's public school students can achieve his or her full potential. Schools are responsible not only for academic achievement, but for recreational activities, the physical and mental health of students at school, and their overall social and emotional needs. Decisions made by the Board of Education will have long-lasting effects on the future of the City. Recognizing the importance of this service, it is the intent of the voters to set high standards for the qualifications and performance of members of the Board of Education.

(b) Members of the Board should have experience with the public schools, preferably in San Francisco, as well as a strong knowledge base of educational and community issues. Members should be committed to their own professional development. They need to maintain a strong knowledge of educational and community issues, develop expertise in complex educational policy issues, advocate for schools and students, represent San Francisco public schools at all levels of government, and visit schools and community programs. The challenges faced by the City's public schools require this high level of professionalism, which in turn requires an increasing commitment of time as the role of schools in our society continues to expand.

(c) In order to attract new candidates who represent the broad spectrum of the San Francisco public school community and to retain incumbent members who are willing and able to provide this high level of professional public service, it is necessary and appropriate to raise the compensation for Board of Education members, which was set at \$500 a month in 1983 and has not been increased since then. In addition, the voters find that in order to maintain the level of professionalism required of Board of Education members, new members should be required to complete appropriate training upon their election or appointment to the Board.

Section 2. The San Francisco Charter is hereby amended by amending Section 8.100, to read as follows:

**SEC. 8.100. UNIFIED SCHOOL DISTRICT.**

(a) Governance. The Unified School District shall be under the control and management of a Board of Education composed of seven members who shall be elected by the voters of the Unified School District. A student representative shall serve on the Board in accordance with state law. No member of this Board shall be eligible to serve on the Governing Board of the Community College District.

(b) Salary. Beginning July 1, 2012, the annual salary The compensation for each member shall be one-half the annual base salary paid to a first-year teacher in the Unified School District on that date \$500 per month. Beginning July 1, 2013, the Unified School District's chief financial officer shall annually adjust the salary amount to reflect increases in the Consumer Price Index during the prior calendar year, provided that the cost-of-living adjustment shall not exceed 5 percent for any one year. The student representative shall not be considered a member of the Board of Education for purposes of this subsection (b). The terms of office in effect for Board members on the date this Charter is adopted shall continue.

(c) Training and Professional Development. Any person elected or appointed for the first time to the Board of Education on and after July 1, 2012 must, within six months of taking office, successfully complete the California School Boards Foundation's New and First-Time Board Members Institute or equivalent training provided by the Foundation or a successor organization as designated by the California State Superintendent of Public Instruction, in order to continue receiving the annual salary provided in subsection (b). Notwithstanding subsection (b), if a member of the Board does not successfully complete the training within six months of first taking office, he or she shall be eligible only for a monthly stipend of \$500 until he or she has completed the training.

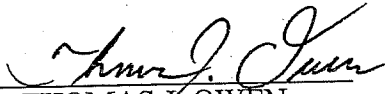
Each member of the Board of Education shall complete a minimum of 10 hours of professional development activities each year. The Board shall compile a list of programs satisfying this requirement and offered by approved providers, which may include the Unified School District itself, organizations of which the District is a member, and accredited institutions of higher education. The Board may approve other programs and providers on a case-by-case basis. Each member of the Board shall submit to the Board an annual certification of his or her completion of the required professional development activities, which certification shall be a public record.

(d) City Funding. For Fiscal Year 2012-2013 and each fiscal year thereafter, the City budget shall appropriate sufficient funds to the Unified School District to pay the salaries of the members of the Board of Education for that fiscal year. The City's obligation to appropriate the funds shall terminate when the City's Controller and the District's chief financial officer jointly certify that the State has fully paid back any shortfalls in funding to the District under Proposition 98 (California Constitution Article XVI, section 8) existing on January 1, 2012, and caused by the State Legislature's suspension of the minimum funding level for public schools and community colleges. Beginning with the first fiscal year following such certification and thereafter, the Unified School District shall fund the salaries of Board of Education members under subsection (b).

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By:

  
THOMAS J. OWEN  
Deputy City Attorney

**LEGISLATIVE DIGEST**  
(Second Draft, dated 2/3/2011 (rev.))

[Charter - Compensation of Board of Education members]

**A proposal to amend the Charter of the City and County of San Francisco at an election to be held on November 8, 2011, by amending Section 8.100, to increase the compensation for members of the Board of Education from a monthly stipend of \$500 to one-half the annual salary of a first-year teacher in the San Francisco Unified School District, establish training and professional development requirements for Board members, and require the City annually to appropriate to the Unified School District an amount sufficient to pay the members' salaries until the State has repaid the District for any outstanding reductions in Proposition 98 funding.**

Existing Law

The Charter provides that members of the Board of Education shall be paid \$500 per month. Members of the Board are eligible to participate in the City's employee health service system while they serve on the Board, but not the City's employee retirement or retiree health care systems. The District pays for the compensation and benefits provided to Board members.

There are no training or professional development requirements for members of the Board of Education.

Amendments to Current Law

The proposal would raise the compensation for each member of the Board of Education to one-half the annual base salary paid to a first-year teacher in the Unified School District on that date. The District's chief financial officer would annually adjust the salary amount for Board members to reflect increases in the Consumer Price Index during the prior calendar year, provided that the cost-of-living adjustment would not exceed 5 percent for any one year.

The proposal would require new Board members to complete the California School Boards Foundation's New and First-Time Board Members Institute or equivalent training within six months of taking office. If a Board member did not do so, he or she would only

receive a monthly stipend of \$500, rather than the full salary for Board members. All Board members would also have to complete at least 10 hours of professional development activities each year.

And the proposal would require the City to appropriate enough money to the School District to pay the salaries of the Board members, beginning with Fiscal Year 2012-13. The City would not be required to appropriate the money once the Controller and the District's chief financial officer jointly certified that the State had fully paid back any shortfalls in funding to the District under Proposition 98 (California Constitution Article XVI, section 8) existing on January 1, 2012. At that point, the District would have to pay for the salaries.

\* \* \*

*This Second Draft, dated 2/3/2011, differs from the First Draft, dated 11/23/2010, in the following ways:*

- *The Second Draft changes the proposed compensation of Board of Education members from \$50,000 per year, as provided in the First Draft, to one-half the salary of a first-year teacher;*
- *Under the Second Draft, the City's obligation to appropriate funds to pay the Board members' salaries would end when the District was repaid by the State for any current and existing Proposition 98 reductions, rather than when and if the District adopted a parcel tax, as provided in the First Draft;*
- *The Second Draft eliminates the proposed requirement, contained in the First Draft, that the Board of Education adopt specific policies regarding reimbursement of expenses incurred by Board members; and,*
- *The Second Draft eliminates the proposal, contained in the First Draft, to authorize members of the Board of Education to participate in the City's Employees' Retirement System and the related provision that Board members be considered to serve full-time.*



RECEIVED  
CITY AND COUNTY OF SAN FRANCISCO  
OFFICE OF THE CONTROLLER

**Ben Rosenfield**  
**Controller**

**Monique Zmuda**  
**Deputy Controller**

2010 FEB -8 PM 12: 18

BY                     

February 7, 2011

REVISÉ 2/7/11

Ms. Angela Calvillo  
Clerk of the Board of Supervisors  
1 Dr. Carlton B. Goodlett Place Room 244  
San Francisco, CA 94102-4689

RE: File 101493 (Second Draft) – Charter amendment increasing the compensation of members of the Board of Education

Dear Ms. Calvillo,

Should the proposed charter amendment be approved by the voters, in my opinion, there would be an increased cost to government beginning in fiscal year 2012-2013 of approximately \$227,000 annually for salaries and training costs for San Francisco Unified School District (SFUSD) Board Members. This cost would grow over time with increases in the Consumer Price Index up to a maximum of 5% for any one year.

The proposed amendment would specify that members of the San Francisco Unified School District Board of Education be paid a salary equivalent to one half the pay of a first year teacher beginning July 1, 2012, with annual adjustments after that date. Currently, Board members received a stipend of \$500 per month.

The amendment would require that SFUSD Board members complete a two-day training course when they take office and ten hours of professional development every year thereafter.

Funding would come from the City's General Fund until the Controller and the Chief Financial Officer jointly certify that the State has repaid the School District for shortfalls in funding under Proposition 98 and the suspension of minimum funding levels for public schools. At that time, this funding obligation would become part of the budget of the School District.

Sincerely,

Ben Rosenfield  
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.



Re: Charter Amendment - Compensation of Board of Education Members  
(2nd Draft)

Gary Amelio to: Linda Wong  
Cc: gary.amelio, Jay Huish

02/04/2011 03:55 PM

Linda,

Please be advised that the Retirement System has no official comment to provide on this draft of the proposed legislation.



Gary A. Amelio  
Executive Director  
San Francisco Employees'  
Retirement System  
30 Van Ness Ave., Suite 3000  
San Francisco, CA 94102

Telephone: 415-487-7020  
Fax: 415-487-7023  
gary.amelio@sfgov.org

Linda Wong	Pursuant to Board of Supervisors Rules of Order...	02/04/2011 10:28:20 AM
From:	Linda Wong/BOS/SFGOV	
To:	Ben Rosenfield/CON/SFGOV@SFGOV, Peg Stevenson/CON/SFGOV@SFGOV, Monique Zmuda/CON/SFGOV@SFGOV, Starr Terrell/MAYOR/SFGOV@SFGOV, John St.Croix/ETHICS/SFGOV@SFGOV, Edwin Lee/ADMSVC/SFGOV@SFGOV, Bill Wycko/CTYPLN/SFGOV@SFGOV, John Rahaim/CTYPLN/SFGOV@SFGOV, Harvey Rose/BudgetAnalyst/SFGOV@SFGOV, Cheryl Adams/CTYATT@CTYATT	
Cc:	Angela Calvillo/BOS/SFGOV@SFGOV, Gabriela Loeza/BudgetAnalyst/SFGOV@SFGOV, Ken Bruce/BudgetAnalyst/SFGOV@SFGOV, Debra Newman/BudgetAnalyst/SFGOV@SFGOV, Leigh Kienker/CTYPLN/SFGOV@SFGOV, AnMarie Rodgers/CTYPLN/SFGOV@SFGOV, Catherine Dodd/HSS/SFGOV@SFGOV, JaneKim@sfusd.edu, cascoe@sfusd.edu, CarlosGarcia@sfusd.edu, Gary.Amelio@sfgov.org, Rick Caldeira/BOS/SFGOV@SFGOV	
Date:	02/04/2011 10:28 AM	
Subject:	Charter Amendment - Compensation of Board of Education Members (2nd Draft)	

Pursuant to Board of Supervisors Rules of Order Sections 2.28.4 and 2.28.6, attached is a copy of the Charter Amendment, File 101493 for your review and comments.

Please review immediately and provide any written comments to the Rules Committee Clerk, Room 244, City Hall or by email to Linda.Wong@sfgov.org.

City and County of San Francisco



San Francisco City and County  
Employees' Retirement System  
Office of The Executive Director

December 16, 2010

Ms. Angela Calvillo  
Clerk of the Board of Supervisors  
CITY AND COUNTY OF SAN FRANCISCO  
#1 Carlton B. Goodlett Place  
Room 244, City Hall  
San Francisco, CA 94102

Re: **PROPOSED CHARTER AMENDMENT - FILE NO. 101493**

Dear Ms. Calvillo:

This is in response to your office's request for the Retirement System's review and comments on proposed Charter amendment (your file number 101493). The request was received by the Retirement System electronically on December 6, 2010.

The proposed Charter amendment would allow members of the Board of Education serving on or after July 1, 2012 to participate in the San Francisco Employees' Retirement System beginning on July 1, 2012. The proposed amendment would also allow Board of Education members serving on or after July 1, 2012, the opportunity to purchase prior service credit in the same manner as other Miscellaneous Plan members. Our review is limited to the proposed amendment to San Francisco Charter Section A8.502.

The cost of extending membership in SFERS to the seven members of the Board of Education is de minimus. Based on the most current SFERS Actuarial Valuation as of July 1, 2009, the normal cost of such membership would be approximately 18.18% of a combined salary of \$350,000 (7 x \$50,000) per year, of which the employer would be required to pay 13.56% or \$47,460, based on the current contribution rate. SFERS will provide updated costs to the Board of Supervisors after the July 1, 2010 SFERS Actuarial Valuation is presented to and adopted by the SFERS Retirement Board at its January 11, 2011 meeting.

The Retirement System will be available for inquiries at the Rules Committee hearing on this item.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "G. Amelio".

Gary A. Amelio  
Executive Director

cc: The Honorable David Campos, Rules Committee and Sponsor  
The Honorable Michaela Alioto-Pier, Rules Committee  
The Honorable Eric Mar, Rules Committee and Sponsor  
The Honorable Bevan Dufty, Sponsor  
The Honorable John Avalos, Sponsor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2010 DEC 17 AM 9:55  
BY [signature]

*C= Rules members &  
Supr. Avalos*

**Fw: Charter Amendment - Compensation of Board of Education Members (1st Draft)**

Lisa Ghotbi to: Linda Wong

12/14/2010 12:07 PM

Linda,

I'm responding on behalf of Catherine Dodd who is out of the office on an leave of absence.

Board of Education members are already considered participants in the Health Service System so there are no issues or concerns here.

The eligibility change and financial impact to HSS relates to their status as new members in the Employee Retirement System, they will now be eligible for retirement health benefits accordingly.

If a financial impact estimate is required, we could work on this after the new year when our CFO returns from vacation.

Hope this is helpful. Let me know if you have any follow-up questions.

*Thank you and have a wonderful day,  
Lisa*

Lisa Ghotbi  
Chief Operating Officer  
San Francisco Health Service Systems  
1145 Market, 2nd Floor, San Francisco, CA 94103  
(415) 554-0606 Phone (415) 554-1721 Fax

— Forwarded by Lisa Ghotbi/HSS/SFGOV on 12/14/2010 11:52 AM —

From: Catherine Dodd/HSS/SFGOV  
To: "Lisa Ghotbi" <Lisa.Ghotbi@sfgov.org>, "Robin Courtney" <robin.courtney@sfgov.org>  
Date: 12/11/2010 10:09 PM  
Subject: Fw: Charter Amendment - Compensation of Board of Education Members (1st Draft)

Can u take a look at this?  
Sent from Catherine Dodd's blackberry  
Linda Wong

----- Original Message -----

From: Linda Wong  
Sent: 12/06/2010 04:23 PM PST  
To: Ben Rosenfield; Peg Stevenson; Monique Zmuda; Starr Terrell; John St. Croix; Edwin Lee; Bill Wycko; John Rahaim; Harvey Rose; Cheryl Adams  
Cc: Angela Calvillo; Gabriela Loeza; Ken Bruce/BudgetAnalyst/SFGOV@SFGOV; Debra Newman; Leigh Kienker/CTYPLN/SFGOV@SFGOV; AnMarie Rodgers; Catherine Dodd; JaneKim@sfusd.edu; cascoe@sfusd.edu; CarlosGarcia@sfusd.edu; Gary Amelio; Rick Caldeira  
Subject: Charter Amendment - Compensation of Board of Education Members (1st Draft)

Pursuant to Board of Supervisors Rules of Order Sections 2.28.4 and 2.28.6, attached is a copy of the Charter Amendment, File 101493 for your review and comments.

Please review immediately and provide any written comments by December 16, 2010, to the Rules Committee Clerk, Room 244, City Hall or by email to Linda.Wong@sfgov.org.



101493.pdf



101493 digest.pdf

Linda Wong  
Board of Supervisors / SF LAFCo  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Phone: 415.554.7719  
Fax: 415.554.7714

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.  
[http://www.sfgov.org/site/bdsupvrs\\_form.asp?id=18548](http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548)