

Highlands Community Charter and Technical Schools Board Meeting Minutes

Raley's Community Room at 4900 Elk Grove Blvd.
Sunday, September 8, 2013 at 1:00 PM

Board Policy Regarding Board Minutes:

The minutes of open session meetings of the Board record all motions, show the names of Board members making and seconding motions and state the vote upon the motion. The open session minutes shall also record all resolutions, the recommendations of the administration and the substance of the Board's discussion or the substance of statements pertinent to Board's business made by members of the staff or public. The minutes follow a generally accepted pattern in form.

The original copy of the open session minutes are signed by the Secretary of the Board and approved by the Board. Original minutes are bound in chronological order, volumned by fiscal year and paged consecutively. The following documents are bound with the official minutes and referred to in the text of the minutes to which they apply:

- Original copies of all resolutions unless required by other agencies, in which case photocopies of the originals may be substituted
- Original copy of all budget transfers
- Copies of any document determined by the Board of Trustees to be attached to the official minutes
- Other documents which, in the opinion of the Secretary, are necessary to fully substantiate or record Board of Directors action.

In addition to the official minutes, an additional copy of all minutes and attached documents are maintained in the office of the Secretary of the Board. This set of minutes is bound, indexed by those categories detailed above and by subject. The bound minutes and accompanying documents are open to public scrutiny within the boundaries of the law.

Pledge of Accuracy

As the Secretary of Highlands Community Charter School, the following minutes are to the best of my knowledge accurate and sufficiently complete to represent what occurred at the board meeting.



Signature

1-11-2014

Date Approved

I. PRELIMINARY

A. Call to Order

Meeting was called to order by the President at 1:05 pm

B. Roll Call

Director	Present	Absent
Mr. Mike Brunelle, President	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Ward Allen, Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Lori Lee, Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Jacob J. Walker, Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Kirk Williams, Interim Principal	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Frances Hesselbein, Director	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dr. Margot Daniels Tyler, Director	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Bob Presley, Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LEA Trustee, TBA	<input type="checkbox"/>	<input type="checkbox"/>
Quorum:	5 of 8	

C. Reporting of Actions Taken in Closed Session

Closed session was deferred to the end of the meeting. The following is the minutes from that closed session period.

1. **Conference with Real Property Negotiators** Gov. Code 54956.8

Property: 4815 Watt Avenue, North Highlands

Kirk Williams was given direction by the board to inform Brocchini Family Limited Partnership that it was no longer going to negotiate for the property.

D. Approve Minutes from Previous Board Meeting

Due to an oversight on the part of the Secretary, the previous minutes had not been distributed to the board. By general agreement, the board agreed to approve both the August and September minutes at the following board meeting.

II. NON-SCHEDULED ITEMS REQUIRING IMMEDIATE ACTION

Items not placed on the original agenda may be considered by the board only in exceptional circumstances. During the meeting no such circumstances and resulting items existed.

III. COMMUNICATIONS

A. Public Comment:

No public comment was made.

B. Principal/Financial Report

Kirk Williams shared the update about the NJESD petition - See Item (V) (B)

C. Board Report

The President was not in attendance, and the Vice-President had no report to make.

IV. CONSENT AGENDA ITEMS

While there was discussion about payment of the legal bill, in which Jacob Walker said he was sending another \$500 this month, and Ward Allen said he would send money next month, the payment of this bill had previously been accepted, so no motion or vote was necessary.

V. ITEMS SCHEDULED FOR BOARD DISCUSSION

A. Date and Time of Board Meetings

Williams

Kirk Williams informed the board that he had commitments most Saturdays at this point in time, and requested a temporary change to Sunday meetings. By general consent the board approved the temporary change for Sunday meetings at 1 pm or later. The next board meeting will occur October 6, at Raley's on San Juan, time to be determined by availability of the meeting room.

B. Update and Discussion about NJESD Petition

Williams

Kirk Williams shared with the board that with the original proposal with being incubated by New Jerusalem School District (NJESD), that we had not been able to procure the WIA partnership nor facilities that was part of the proposal. There have also been other communication issues with New Jerusalem, such that materials HCCS has submitted to NJESD have not been responded to, including MOUs, marketing materials, etc. Further, originally HCCS asked to pay a set percentage fee back to NJESD during the incubation period, but it appears that NJESD wishes to keep 100% of the apportionment funding and not help with HCCS's startup costs. As such, it does not appear that incubation under their charter will occur this year. Further, NJESD has expressed that without incubating with them, they are not likely to grant an independent charter to HCCS.

VI. ITEMS SCHEDULED FOR ACTION

A. Submission of Public Charter School Grants (PCSGP) Williams

Kirk Williams explained to the board that the Public Charter School Grant Program (PCSGP) requires more specifics about a work plan and timeline of when actions will occur, and what money will be spent on. Further, given the uncertainty about NJESD, if HCCS re-petitions Twin Rivers, then a separate PCSGP application needs to be submitted for this. Kirk Williams, Jacob Walker, and Ward Allen all participated in a review of the draft application by the California Charter School Association (which was sent to the board as well), and Kirk Williams and Jacob Walker are revising the application based upon that feedback. It was also explained to the board that HCCS learned that if it receives the grant, that it is not likely to get any funding from it until July 2014.

The Board grants initial approval to submit a revised Public Charter School Grant (PCSGP) for all authorizers petitioned, with the stipulation that the version for submission must be emailed to the board first for review.

Motion: Ward Allen Action: Approved

Second: Jacob Walker Vote: 5 Yes, 0 No, 3 Absent

B. Approval of School Policies Walker

Jacob Walker discussed with the board that while much of Twin River's Resolution to Deny the charter petition clearly had no legal basis, that there were a few areas of policy that needed to be reviewed.

First, the district legal counsel previously stated that HCCTS needed to follow the more stringent public conflict of interest policies, not the public benefit corporation policies. The difference between these policies is whether any employees can sit on the board of the charter school. Jacob explained that many charter schools follow the public benefit corporation rules, and have a few employees on their board, as long as it is less than 50% of the board. But, that it is unsettled law, as a California judge has not yet ruled on the issue.

Jacob Walker explained that what is clear is that the district legal counsel made an issue of this previously, and that it could be a point that stops Twin Rivers from approving the HCCS charter. The more stringent standards does not currently affect the board, as no board member is an employee of the charter school, although 3 board members hope to be employed by the school in the future, and would need to step down from the board in such case. The board gave Mr. Walker direction to revise the policies to be in-line with the more stringent conflict of interest policies, and email it to the board for approval. If legal clarification or agreement comes later, then the issue can be revisited.

Jacob Walker also discussed the admissions policy. He shared that in the case of more students enrolling in the school than available space, that there needs to be a lottery system, but that there are certain preferences that can be made in this lottery. California law allows a lot of flexibility to this preference system, as long as the authorizer agrees to the preference system. But Federal Law, which is required to be followed for the PCSGP grant, is more stringent. But, it does allow preferences in order to meet the requirements of the equal protection of the law clause of the 14th amendment, and given that currently adults are not served in most schools, that having an adult preference as a matter of affirmative action should be allowed. But that this is untested in the courts.

The board requested that the proposed admissions policy be sent out to them again, and an email vote be taken this week.

C. Re-petitioning of Twin Rivers Unified School District Walker

Jacob Walker and Kirk Williams both explained to the Board that while it appears that working with New Jerusalem is not likely to occur, that there may be an opening with Twin Rivers Unified School District. The original vote against HCCS was 3 to 4, and since that point in time, there has become a new superintendent, who may be more open to looking at innovative ways of serving the community. The Twin Rivers Trustees who supported HCCS previously, are still strongly supporting having it come back to be re-petitioned with Twin Rivers again. Specifically, Trustee Linda Fowler will be meeting with Kirk, Jacob, and Ward on 9/9/2013.

Jacob is trying to arrange a meeting with Trustee Baker, and Ward is talking with Trustee Dexter, and potentially working with Trustee Dexter about pre-apprenticeship programs. There is also the possibility that Allen Warren may be able to help TRUSD Trustee Cortez Quinn to see the benefits of HCCS.

It was explained to the board that in order to possibly qualify for the PCSGP with Twin Rivers, that a petition needed to be submitted first to Twin Rivers, and thus it would need to be submitted in the coming week.

The Board grants approval to re-submit a revised version of the HCCS charter petition to Twin Rivers Unified School District, with the stipulation that it is within the scope of previous petitions (TRUSD & NJESD), and that it is emailed to the board first for review.

Motion: Ward Allen Action: Approved

Second: Kirk Williams Vote: 5 Yes, 0 No, 3 Absent

D. Workforce Investment Act Agreement

Discussion of obtaining an Exclusive Partnership Agreement occurred in conjunction with other discussion of the board. Kirk Williams explained to the board about the issues that had occurred with getting an agreement with the Sacramento Employment and Training Agency (SETA), for reasons that are not fully understood.

There was also a meeting with Kirk Williams, Wad Allen, Jacob Walker, and David Thoming (Superintendent of NJESD) with the California Workforce Investment Board, and they said that while this type of partnership sounded like a good idea, that they don't sign statewide agreements, and it is up to the local Workforce Investment Boards.

SETA and Sacramento Council Member Allen Warren both have suggested that HCCS should seek a partnership with the Greater Sacramento Urban League, which is currently having financial issues, and may be interested in building a win-win relationship. A meeting with James Shelby, who is leading the Urban League again, is set for 9/9/2013.

The Board grants authorization for Kirk Williams as administrator to make an Exclusive Partnership Agreement with a qualified WIA funded agency such that it may serve adults with the Highlands Community Charter School.
Motion: Lori Lee Action: Approved
Second: Ward Allen Vote: 5 Yes, 0 No, 3 Absent

VII. ITEMS SCHEDULED FOR INFORMATION

No items were scheduled for information.

VIII. ADJOURNMENT

The board adjourned at 2:20 pm



Jacob Walker <jacob.walker@effectiveeducation.org>

Naming the Charter School with Twin Rivers "Highlands Adult Charter School"

4 messages

Tue, Sep 10, 2013 at 6:48 AM

Jacob J. Walker <Jacob.Walker@highlandscommunitycharter.org>

To: Bob Presley <Bob.Presley@highlandscommunitycharter.org>, Frances Hesselbein <Frances.Hesselbein@highlandscommunitycharter.org>, "Jacob J. Walker" <Jacob.Walker@highlandscommunitycharter.org>, Kirk Williams <Kirk.Williams@highlandscommunitycharter.org>, Lori Lee <Lori.Lee@highlandscommunitycharter.org>, Margaret Daniels Tyler <Margaret.Tyler@highlandscommunitycharter.org>, Mike Brunelle <Mike.Brunelle@highlandscommunitycharter.org>, Ward Allen <Ward.Allen@highlandscommunitycharter.org>

While there would be no need to rename our public benefit corporation, I think there is a very good reason for us to go back to our original idea of naming our initial charter school "Highlands Adult Charter School". We had removed the word "Adult" from the name previously on advice from our lawyer that it might cause additional scrutiny from the California Department of Education (CDE).

But, I think that we can survive any scrutiny from CDE, as we are on good legal ground, and there has been strong support in the legislature for adult education services (even though the LCFF eclipsed any meaningful adult education reform), and also that the budget is not in crises as it was in the past.

I think that one of the allusions that the opponents to the adult-serving charter school made was that somehow we would be serving kids. By having the name clearly stating it is for adults (which is what Five Keys does in one of their charters), then it will allay many of those fears in board member eyes, and also reduce the possibility that a youth will try and register with the school.

This is something that requires board action, and we need to submit the petition this week. So I am making the motion for an email vote to have the Twin Rivers submitted petition use the name "Highlands Adult Charter School" for the school.

Please respond back as soon as possible with a Yea or Nay. If we get 5 votes in favor, we can consider that a quorum and majority of votes.

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Jacob J. Walker, M.S. Ed.
Board Member & Secretary
Highlands Community Charter and Technical Schools
"Serving the Unserved"

Tue, Sep 10, 2013 at 8:08 AM

Lori lee <shoppinglori@sbcglobal.net>

To: "Jacob J. Walker" <Jacob.Walker@highlandscommunitycharter.org>
Cc: Bob Presley <Bob.Presley@highlandscommunitycharter.org>, Frances Hesselbein <Frances.Hesselbein@highlandscommunitycharter.org>, "Jacob J. Walker" <Jacob.Walker@highlandscommunitycharter.org>, Kirk Williams <Kirk.Williams@highlandscommunitycharter.org>, Lori Lee <Lori.Lee@highlandscommunitycharter.org>, Margaret Daniels Tyler <Margaret.Tyler@highlandscommunitycharter.org>, Mike Brunelle <Mike.Brunelle@highlandscommunitycharter.org>, Ward Allen <Ward.Allen@highlandscommunitycharter.org>

I vote in favor, Yea

Lori

Sent from my iPad.



Jacob Walker <jacob.walker@effectiveeducation.org>

Recommendation for Revision to the Motion of the name change

1 message

Jacob J. Walker <Jacob.Walker@highlandscommunitycharter.org>

Thu, Sep 12, 2013 at
10:41 AM

To: Bob Presley <Bob.Presley@highlandscommunitycharter.org>, Frances Hesselbein <Frances.Hesselbein@highlandscommunitycharter.org>, "Jacob J. Walker" <Jacob.Walker@highlandscommunitycharter.org>, Kirk Williams <Kirk.Williams@highlandscommunitycharter.org>, Lori Lee <Lori.Lee@highlandscommunitycharter.org>, Margaret Daniels Tyler <Margaret.Tyler@highlandscommunitycharter.org>, Mike Brunelle <Mike.Brunelle@highlandscommunitycharter.org>, Ward Allen <Ward.Allen@highlandscommunitycharter.org>

Upon talking with Kirk, there has been a recommendation to revise the motion for the name change for the initial charter to being "Highlands Charter School for Adults" (HCSA), instead of having the acronym of "HACS" for "Highlands Adult Charter School".

Also, Ward had a potential concern about the name we used with the agreement with Greater Sacramento Urban League. To clarify to everyone, we used our Public Benefit Corporation name in that agreement, so it doesn't affect what name we use for the charter school.

Please let us know if the proposed name change is OK with the board.

--

Jacob J. Walker, M.S. Ed.
Board Member & Secretary
Highlands Community Charter and Technical Schools
"Serving the Unserved"