EMPIRE SPRINGS CHARTER SCHOOL BOARD OF DIRECTORS

43466 BUSINESS PARK DRIVE • TEMECULA, CA 92590

REGULAR MEETING
MINUTES

May 24, 2013

11:00 – 12:30p.m.

43466 Business Park Drive / Temecula, CA 92590

Conference Line (218) 844-3366 / Code: 020100#*

I. PRELIMINARY

1. **Call to Order: Board Secretary, Ms. Darrow called the meeting to order at 11:12am.**

PRESENT:

Robin Mammoth, Board Chairman Marlene Darrow, Board Secretary Tracey Vela, Board Director Heidi Chan, Board Director Beth Burt, Board Director	Kathleen Hermsmeyer, Executive Director Kyla Shofner, Director of Charter Relations Amy Podratz, Sr Director of Business & Administrative Operations

2. *Action*: **Approval of Agenda**
   a. **Ms. Chan moved to approve the agenda.**
   b. **Ms. Vela seconded.**
   c. Discussion: None
   d. **3 AYES (Chan, Vela, Darrow); 0 NOES; 1 ABSENT (Mammoth). Motion adopted.**
3. *Action:* **Approval Meeting Minutes – April 11, 2013**
   a. **Ms. Vela moved to approve the April 11, 2013 meeting minutes.**
   b. **Ms. Chan seconded.**
   c. Discussion: None
   d. **3 AYES (Vela, Chan, Darrow); 0 NOES; 1 ABSENT (Mammoth). Motion adopted.**
4. *Action:* **Ratification of Appointment of New Board Director – Beth Burt**
   a. **Ms. Chan moved to ratify the appointment of new Board Director, Beth Burt.**
   b. **Ms. Vela seconded.**
   c. Discussion:
      i. Ms. Chan asked about Beth's term. Ms. Shofner responded that Ms. Burt's term begins immediately an adopted motion.
   d. **3 AYES (Chan, Vela, Darrow); 0 NOES; 1 ABSENT (Mammoth). Motion adopted.**

Ms. Burt became an active Board Director at this time.

II. COMMUNITY RELATIONS

5. *Information*: **PUBLIC COMMENTS**
    a. None
6. *Information*: **BOARD COMMENTS**
    a. Ms. Chan commended staff on their hard work assembling such a thorough board packet.

Ms. Mammoth arrived to the meeting at this time.

7. *Information:* **Report from Executive Director**
    a. *See attached report.*
    b. Dr. Hermsmeyer: The Helendale School District receives "small school district funding" for having a total student population under 1500; they would lose this funding if our special education came in under their district which is why they want us to find our own SELPA. The challenging part is that the Riverside SELPA does not want Empire Springs to be its own LEA because Empire would then be entitled to their own vote at the SELPA Governance Council meetings. The SELPA was verbally okay with Empire being under River Springs' LEA. However, once we asked the SELPA to provide a written verifiable assurance of this unique arrangement, they have balked a little, and our lawyers are now working to figure out all the details. The Helendale School District Board of Trustees will most likely authorize our charter's conditional approval upon us figuring out a plan for our for special education. If we aren't able to put Empire under River Springs' LEA or, better yet, have Empire Springs be its own LEA for special education purposes, we can be a school of the Helendale School District for special education purposes only by agreeing to cap our enrollment at 500 (and thereby not contributing to the District losing their small school district funding).

III. BUSINESS

8. *Action:* **Approval Legal Services Agreement – Young, Minney & Corr, LLP**
    a. **Ms. Burt moved to approve the legal services agreement with Young, Minney & Corr, LLP.**
    b. **Ms. Vela seconded.**
    c. Discussion:
    d. **5 AYES (Burt, Vela, Chan, Darrow, Mammoth); 0 NOES; 0 ABSENT. Motion adopted.**
9. *Action:* **Designation of Agent for Service of Process**
    a. **Ms. Darrow moved to designate Young, Minney & Corr, LLP as the agent for service of process.**
    b. **Ms. Chan seconded.**

c. Discussion: None

d. **5 AYES (Darrow, Chan, Burt, Mammoth, Vela); 0 NOES; 0 ABSENT. Motion adopted.**

10. *Action:* **Approval of Bylaws (Revised)**

a. **Ms. Burt moved to approve the revised bylaws (pending revisions and final review by legal counsel).**

b. **Ms. Vela seconded.**

c. Discussion:

i. Ms. Chan: Please revise all mention of Trustee(s) to Director(s). Additionally, we need to begin referring to Board President as Board Chairman and Board Vice President as Board Vice Chairman (to clearly differentiate between corporate officers and board officers).

ii. Ms. Chan requested legal review of Article IX Section 1. CONTRACTS WITH DIRECTORS to ensure it is not in conflict with Article VII Section 4. RESTRICTION ON INTERESTED PERSONS AS DIRECTORS.

a. **5 AYES (Burt, Vela, Chan, Darrow, Mammoth); 0 NOES; 0 ABSENT. Motion adopted.**

11. *Action:* **Approval of Final Charter Petition (Revised)**

a. **Ms. Burt moved to approve the revised final charter petition.**

b. **Ms. Chan seconded.**

c. Discussion: None

d. **5 AYES (Burt, Chan, Darrow, Mammoth, Vela); 0 NOES; 0 ABSENT. Motion adopted.**

12. *Action:* **Approval of Revised MOU with Helendale School District and River Springs Charter School**

a. **Ms. Burt moved to approve the revised MOU with Helendale School District and River Springs Charter School with the amendment in Section II. C. 1. Facilities.**

b. **Ms. Chan seconded.**

c. Discussion:

i. Ms. Chan requested clarification on Section VI. B. (page 5) regarding serving district residents. Dr. Hermsmeyer clarified that we have agreed to reimburse the District at the full cost of the ADA we receive from any Helendale School District student who decides to enroll with Empire Springs.

d. **5 AYES (Burt, Chan, Darrow, Mammoth, Vela); 0 NOES; 0 ABSENT. Motion**

adopted.

13. *Action:* **Ratification of MOU for Special Education Services By and Between River Springs, Harbor Springs, and Empire Springs Charter Schools 2013-2014**

   a. **Ms. Darrow moved to ratify the MOU for special education services by and between River Springs, Harbor Springs, and Empire Springs Charter Schools for 2013-2014.**
   b. **Ms. Vela seconded.**
   c. Discussion: None
   d. **5 AYES (Darrow, Vela, Burt, Chan, Mammoth); 0 NOES; 0 ABSENT. Motion adopted.**

14. *Action:* **Ratification of Lease Agreement – J.C. Williams (760 W Acacia #104 & #204 / Hemet 92543)**

   a. **Ms. Burt moved to ratify the lease agreement with J.C. Williams for the property located at 760 W Acacia #104 and #204 in Hemet 92543) as amended.**
   b. **Ms. Darrow seconded.**
   c. Discussion:
      i. Ms. Chan: This lease agreement is between River Springs which needs to be corrected to Empire Springs.
      ii. Ms. Chan: Do we have a budget for tenant improvement?
      iii. Dr. Hermsmeyer: J.C. Williams is doing all of the tenant improvements as part of the lease rate (other than furniture). However, we are doing the information technology infrastructure.
      iv. Ms. Chan: When negotiating leases, we need to ensure that anything attached to the building is the responsibility of the landlord. Ms. Chan requested staff to seek clarification on this issue when modifying the lease agreement.
   d. **5 AYES (Burt, Darrow, Chan, Mammoth, Vela); 0 NOES; 0 ABSENT. Motion adopted.**

IV. GOVERNANCE

15. *Action:* **Approval of 2013-2014 Board Calendar**

   a. **Ms. Darrow moved to approve 2013-2014 board calendar.**
   b. **Ms. Vela seconded.**
   c. Discussion: None
   d. **5 AYES (Darrow, Vela, Burt, Chan, Mammoth); 0 NOES; 0 ABSENT. Motion**

adopted.

16. *Action:* **Approval of Board Policy 1001.1 – Nondiscrimination in School Programs & Activities**
    a. **Ms. Chan moved to approve Board Policy 1001.1 – Nondiscrimination in School Programs & Activities.**
    b. **Ms. Burt seconded.**
    c. Discussion: None
    d. **5 AYES (Chan, Burt, Darrow, Mammoth, Vela); 0 NOES; 0 ABSENT. Motion adopted.**
17. *Action:* **Approval of Board Policy 1002.1 – School Accountability Report Card**
    a. **Ms. Burt moved to approve Board Policy 1002.1 – School Accountability Report Card.**
    b. **Ms. Vela seconded.**
    c. Discussion: None
    d. **5 AYES (Burt, Vela, Chan, Darrow, Mammoth); 0 NOES; 0 ABSENT. Motion adopted.**
18. *Action:* **Approval of Board Policy 2001.1 – Uniform Complaint Procedures**
    a. **Ms. Darrow moved to approve Board Policy 2001.1 – Uniform Complaint Procedures.**
    b. **Ms. Chan seconded.**
    c. Discussion: None
    d. **5 AYES (Darrow, Chan, Burt, Mammoth, Vela); 0 NOES; 0 ABSENT. Motion adopted.**
19. *Action:* **Approval of Board Policy 3001.1 – Administration in Leeway in Absence of Board Policy**
    a. **Ms. Vela moved to approve Board Policy 3001.1 – Administration in Leeway in Absence of Board Policy.**
    b. **Ms. Chan seconded.**
    c. Discussion: None
    d. **5 AYES (Vela, Chan, Burt, Darrow, Mammoth); 0 NOES; 0 ABSENT. Motion adopted.**
20. *Action:* **Approval of Board Policy 3011.1 – Family Educational Rights and Privacy Act (FERPA)**
    a. **Ms. Burt moved to approve Board Policy 3011.1 – Family Educational Rights and**

Privacy Act (FERPA).

b. **Ms. Vela seconded.**

c. Discussion: None

d. **5 AYES (Burt, Vela, Chan, Darrow, Mammoth); 0 NOES; 0 ABSENT. Motion adopted.**

21. *Action:* **Approval of Board Policy 4001.1 – Contracts**

a. **Ms. Vela moved to approve Board Policy 4001.1 – Contracts.**

b. **Ms. Chan seconded.**

c. Discussion: None

d. **5 AYES (Vela, Chan, Burt, Darrow, Mammoth); 0 NOES; 0 ABSENT. Motion adopted.**

22. *Action:* **Approval of Board Policy 4002.1 – Budget**

a. **Ms. Chan moved to approve Board Policy 4002.1 – Budget.**

b. **Ms. Vela seconded.**

c. Discussion: None

d. **5 AYES (Chan, Vela, Burt, Darrow, Mammoth); 0 NOES; 0 ABSENT. Motion adopted.**

23. *Action:* **Approval of Board Policy 5001.1 – Child Abuse Reporting Procedures**

a. **Ms. Darrow moved to approve Board Policy 5001.1 – Child Abuse Reporting Procedures.**

b. **Ms. Burt seconded.**

c. Discussion: None

d. **5 AYES (Darrow, Burt, Chan, Mammoth, Vela); 0 NOES; 0 ABSENT. Motion adopted.**

24. *Action:* **Approval of Board Policy 5002.1 – Immunizations**

a. **Ms. Burt moved to approve Board Policy 5002.1 – Immunizations.**

b. **Ms. Chan seconded.**

c. Discussion: None

d. **5 AYES (Burt, Chan, Darrow, Mammoth, Vela); 0 NOES; 0 ABSENT. Motion adopted.**

25. *Action:* **Approval of Board Policy 5003.1 – Infectious Disease Prevention**

a. **Ms. Vela moved to approve Board Policy 5003.1 – Infectious Disease Prevention.**

b. **Ms. Chan seconded.**

c. Discussion: None

d. **5 AYES (Vela, Chan, Burt, Darrow, Mammoth); 0 NOES; 0 ABSENT. Motion adopted.**

26. *Action:* **Approval of Board Policy 5004.1 – Infectious Diseases**

a. **Ms. Darrow moved to approve Board Policy 5004.1 – Infectious Diseases.**
b. **Ms. Vela seconded.**
c. Discussion: None
d. **5 AYES (Darrow, Vela, Burt, Chan, Mammoth); 0 NOES; 0 ABSENT. Motion adopted.**

27. *Action:* **Approval of Board Policy 5005.1 – Medications for Students**

a. **Ms. Vela moved to approve Board Policy 5005.1 – Medications for Students.**
b. **Ms. Chan seconded.**
c. Discussion: None
d. **5 AYES (Vela, Chan, Burt, Darrow, Mammoth); 0 NOES; 0 ABSENT. Motion adopted.**

28. *Action:* **Approval of Board Policy 5006.1 – Independent Study**

a. **Ms. Burt moved to approve Board Policy 5006.1 – Independent Study.**
b. **Ms. Chan seconded.**
c. Discussion: None
d. **5 AYES (Burt, Chan, Darrow, Mammoth, Vela); 0 NOES; 0 ABSENT. Motion adopted.**

29. *Action:* **Approval of Board Policy 7001.1 – Board Stipends**

a. **Ms. Darrow moved to approve Board Policy 7001.1 – Board Stipends.**
b. **Ms. Chan seconded.**
c. Discussion:
    i. Ms. Vela requested clarification about what the stipend covers (time, travel, etc.). Ms. Shofner explained that this stipend now covers time and travel.
    ii. Dr. Hermsmeyer: There is a liability to being a board member as soon as you, as a Board Director, start receiving a stipend (even just $10 per meeting).
d. **5 AYES (Darrow, Chan, Burt, Mammoth, Vela); 0 NOES; 0 ABSENT. Motion adopted.**

V. ADJOURNMENT

30. There being no further business, it was moved by Ms. Burt and seconded by Ms. Vela that this meeting be adjourned at 12:35p.m.

VI. NEXT REGULAR MEETING

Monday, August 19, 2013, 10:00 – 12:00p.m.

Temecula Administrative Offices – 43448 Business Park Drive – Temecula, CA 92590

Marlene Darrow/ Board Secretary

8/19/13
Date

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***Members of the public attending a board meeting via teleconference need not give their name when entering the conference call.**