RIVER SPRINGS CHARTER SCHOOL BOARD OF DIRECTORS

43466 BUSINESS PARK DRIVE • TEMECULA, CA 92590

REGULAR MEETING
MINUTES

August 14, 2014
1:00 – 4:00p.m.
43448 Business Park Drive / Temecula, CA 92590
Conference Line (267) 507-0370 / Code: 020100#*

I. PRELIMINARY

Our mission is to empower students by fostering their innate curiosity, engaging their parents, and promoting optimum learning by collaboratively developing a personalized learning program for each student.

1. *Action*: **Call to Order & Pledge of Allegiance**
    a. Board Vice Chair, Ms. Mejares Pham called the meeting to order at 1:09p.m.

PRESENT:

Jennifer Mejares Pham, Vice Chair	Kathleen Hermsmeyer, Superintendent
Charlene Ponzio, Treasurer	Linda Rhoads-Parks, Esq. – Legal Counsel
Sheila Ryle, Director	Phil Hermsmeyer, Assistant Supt – IT & Facilities
Carl Burke, Director	Amy Podratz, Assistant Supt – Business and Admin Ops
Charles Vela, Director	Diane Anvari, Assistant Supt – Human Resources
Stephen Darrow, Director	Jennifer Walker, Academic Program Coordinator

2. *Action*: **Approval of Agenda**
    a. Ms. Ponzio moved to approve the agenda.
    b. Mr. Burke seconded.
    c. Discussion:
        i. None
    d. 6 AYES (Ponzio, Burke, Darrow, Mejares Pham, Ryle, Vela); 0 NOES; 0 ABSENT. Motion adopted.

3. *Action*: **Approval of Special Meeting Minutes – July 10, 2014**
    a. Ms. Ponzio moved to approve the Special Meeting Minutes from July 10, 2014 with changes.
    b. Ms. Ryle seconded.
    c. Discussion:
        i. Ms. Ponzio requested clarification of special Board meeting dates. She would like the dates revisited at each Board meeting instead of in December.
    d. 6 AYES (Ponzio, Ryle, Burke, Darrow, Mejares Pham, Vela); 0 NOES; 0 ABSENT. Motion adopted.

4. *Action*: **Acceptance of Kevin Ogden's Resignation**
    a. Ms. Ryle moved to accept Kevin Ogden's resignation.
    b. Mr. Vela seconded.
    c. Discussion:
        i. None
    d. 6 AYES (Ryle, Vela, Burke, Darrow, Mejares Pham, Ponzio); 0 NOES; 0 ABSENT. Motion adopted.

5. *Action*: **Election of Board & Corporate Officers**
    a. Ms. Mejares Pham moved to clarify the bylaws to state that the Board will annually elect a new Vice Chair who has previously held the position of Treasurer or Secretary.
    b. Ms. Ponzio seconded.
    c. Discussion:
        i. None
    d. 6 AYES (Mejares Pham, Ponzio, Burke, Darrow, Ryle, Vela); 0 NOES; 0 ABSENT. Motion adopted.

    e. Mr. Vela moved that the Vice Chair ascends to the Chair with ratification.
    f. Mr. Darrow seconded.
    g. Discussion:
        i. None
    h. 6 AYES (Vela, Darrow, Burke, Mejares Pham, Ponzio, Ryle); 0 NOES; 0 ABSENT. Motion adopted.

    i. Ms. Mejares Pham moved to elect **Ms. Ponzio as Board Vice Chair**.
    j. Ms. Ryle seconded.
    k. Discussion:
        i. None
    l. 5 AYES (Mejares Pham, Ryle, Burke, Darrow, Vela); 0 NOES; 0 ABSENT; 1 ABSTAINED (Ponzio). Motion adopted.

    m. Mr. Burke moved to elect **Ms. Ryle as Secretary**.
    n. Mr. Vela seconded.
    o. Discussion:
        i. None
    p. 5 AYES (Burke, Vela, Darrow, Mejares Pham, Ponzio); 0 NOES; 0 ABSENT; 1 ABSTAINED (Ryle). Motion adopted.

    q. Ms. Ryle moved to elect **Mr. Vela as Treasurer**.
    r. Mr. Darrow seconded.
    s. Discussion:
        i. None
    t. 5 AYES (Ryle, Darrow, Burke, Mejares Pham, Ponzio); 0 NOES; 0 ABSENT; 1 ABSTAINED (Vela). Motion adopted.

    u. Ms. Ryle moved to ratify **Ms. Mejares Pham as Board Chair**.
    v. Ms. Ponzio seconded.
    w. Discussion:
        i. None
    x. 5 AYES (Ryle, Ponzio, Burke, Darrow, Vela); 0 NOES; 1 ABSTAINED (Mejares Pham) Motion adopted.

6. **Board Oath of Office for New Board Members**
    a. Ms. Mejares Pham read the oath, and all Board Members agreed to uphold the oath.

II. CONSENT AGENDA

Consent agenda items are considered routine and may be enacted by a single motion. Any Director of the Board may request removal of any item from the consent agenda for consideration under the regular agenda if discussion of the item is desired. Items not removed from the consent agenda will stand approved upon motion of a Board Director, followed by a second and majority vote.

7. *Action*: **Ratification of Warrant Listing & Personnel Action Report (June/July)**
8. *Action*: **Approval/Completion of Certification of Signatures Form**
9. *Action*: **Ratification of Out-of-state Travel to Salem, Oregon for 3 Staff (August 13-14, 2014)**
10. *Action*: **Approval of HR Board Evaluation Committee Meeting Minutes – June 14, 2014**
11. *Action*: **Approval of Facilities & IT Board Evaluation Committee Meeting Minutes – June 14, 2014**
    a. Ms. Ryle moved to approve the consent agenda.
    b. Mr. Vela seconded.
    c. 6 AYES (Ryle, Vela, Burke, Darrow, Mejares Pham, Ponzio); 0 NOES; 0 ABSENT. Motion adopted.

III. COMMUNITY RELATIONS

This is an opportunity for community members to speak to any item on the agenda or regarding subjects or concerns that do not appear on the agenda. Any person wishing to speak is requested to complete the "Request to Speak" form found at the entrance to the meeting and to bring it forward to the Board Secretary. Presentations are limited to five minutes. Government Code Section 54954.2 and Education Code Section 35145.5 prohibit the Board from discussing or acting upon matters not on the agenda.

12. **Public Comments**
    a. None

13. **Board Comments**
    a. Mr. Vela: I enjoyed the Pechanga conference and really enjoyed the keynote speaker.
    b. Mr. Burke: I also enjoyed the conference.
    c. Ms. Ryle: I also felt that the conference was very well done.
    d. Mr. Darrow: I thought the keynote speaker was great as was Kathleen.
    e. Ms. Mejares Pham: I went to the NCSC conference in Vegas this summer. A lot of the vendors were repeating vendors of CCSA, but we met a lot of the people from all over the country. Charter schools from other parts of the country are so different from California charters.
    f. Ms. Ponzio: Thank you to the entire staff for the Pechanga conference.

IV. STUDENT ACHIEVEMENT

14. *Information*: **Report from the Superintendent (Includes WASC Action Plan Update and 2013-14 Graduation Report)**
    a. Mr. Hermsmeyer: We invited residents near the YMCA site to learn about the project and what impact it will have on their neighborhood. We had approximately 15 attendees. The main issue was traffic. Our traffic engineer attended and gave an update on how we plan to deal with the traffic, drop off, etc. We'll get as many positive reinforcements as possible at City Hall for the actual public hearing. We do not foresee having the YMCA ready to open for fall 2015. We have a new consultant and hope that she will be a pragmatic engineer and will come to a conclusion about the building's historic status.
    b. Mr. Burke: Was the hearing chaired by a city official?
    c. Mr. Hermsmeyer: No. This was an informational meeting only.

d. Dr. Hermsmeyer: Amy, Kyla, and I attended a meeting with the RCOE staff and met Susan Levine. Susan and the RCOE staff attended Pechanga on both the staff day and the parent day. They requested a lot of information from us in regards to the new charters that Amy and Kyla will be working to get to them. They requested a substantive change to our charter because we have had so much growth. We need to clarify the governance structure and how we are offering support to Empire and Harbor. The Orange County Student Center may have to be removed from the River charter because it is currently shared with Harbor. That way there would only be centers in Riverside County under the River charter. The substantive change will be on their agenda in December.
e. Ms. Parks: We aren't just offering services, we are also buying them.
f. Ms. Podratz: The RCOE board can only approve or deny the substantive changes, not the entire charter.
g. Dr. Hermsmeyer: All in all I felt that the meeting with RCOE went really well.
h. Dr. Hermsmeyer: The graduation report is included in the packet and clarifies how many of our graduates were prepared for college in math and English. This is the first year we've had this much data on our graduates. Also included are Internship and CTE participation.
i. Ms. Mejares Pham: Are we separating English and Math data for remedial and non-remedial graduates?
j. Dr. Hermsmeyer: Yes. You can see that data separated out at the end of the report.
k. Ms. Mejares Pham: Can we include only the data on students that actually took these exams since they are voluntary? That would change the data.
l. Dr. Hermsmeyer: Homeschool participation is low because the tests are voluntary and parents have to physically bring their kids to the exams, as opposed to Academy students who are simply given the tests in class.
m. Ms. Mejares Pham: The numbers don't feel right on the community college / vocational school attendance. Maybe we should make the 2 year college or vocational school one category to keep these numbers cleaner.
n. Dr. Hermsmeyer: That's a great idea. We'll do that next year.
o. Ms. Mejares Pham: Is the Lyndie Lane location opening on September 7?
p. Dr. Hermsmeyer: Correct. We'll start the year at the Ynez Court site and then move some of the students to the new location in September. We'll have the Ynez Court space through Christmas and then will go month to month if needed.
q. Mr. Hermsmeyer: We will only be opening 4 classrooms in September and have the grand opening in January or February.

V. BUSINESS

15. *Action*: **Approval of Superintendent's Salary for 2014/2015**
    a. Mr. Burke moved to approve the Superintendent's Salary for 2014/2015.
    b. Ms. Ponzio seconded.
    c. Discussion:
        i. Mr. Burke: How can the salary be approved before the performance evaluation?
        ii. Dr. Hermsmeyer: The salary step increases are not tied to performance evaluations. This is in line with other public schools.
    d. 5 AYES (Burke, Ponzio, Darrow, Mejares Pham, Vela); 0 NOES; 0 ABSENT; 1 ABSTAINED (Ryle). Motion adopted.

16. *Information:* **Enrollment/Finance Update**
    a. Ms. Podratz: 90% of our revenue is based on ADA so keeping an eye on enrollment is our top priority right now. We have over 1,000 students still in the intake and enrollment processes.

b. Ms. Mejares Pham: If the difference on the enrollment report shows a negative number, does that mean those are empty seats?
c. Ms. Podratz: Correct.
d. Dr. Hermsmeyer: Homeschool shows a difference of 200 students because students are enrolling in that program all year long.
e. Ms. Podratz: The churn report shows the program retention from Spring to Spring. I-Shine had an 82% retention rate last year, which is very high for a charter school.

17. *Action:* **Ratification of Agreement with San Diego State University Research Foundation on behalf of National Center for Urban School Transformation (NCUST) for Participation in the A-PLUS Program in 2014/2015**
    a. Ms. Ponzio moved to ratify the agreement with San Diego State University Research Foundation on behalf of National Center for Urban School Transformation (NCUST) for Participation in the A-PLUS Program in 2014/2015.
    b. Mr. Vela seconded.
    c. Discussion:
        i. Ms. Ponzio: How will we determine the success of this program?
        ii. Dr. Hermsmeyer: There will be multiple measures. The English Learner (EL) improvement is the main measure. The team identifies characteristics of teachers and leadership at sites that excel in EL improvement. We will also analyze data from I-Ready assessments for targeted RTI students and those that are Special Ed. We are sending leadership staff from our school to be trained by this team.
        iii. Mr. Vela: At what point do we look at the enrollment numbers and close programs or classes?
        iv. Ms. Podratz: On September 1, Kathleen and I will analyze those numbers.
        v. Dr. Hermsmeyer: The numbers are trending towards our P2 estimation.
    d. 6 AYES (Ponzio, Vela, Burke, Darrow, Mejares Pham, Ryle); 0 NOES; 0 ABSENT. Motion adopted.

18. *Action:* **Ratification of Lease Agreement with Martin Investment Company, a California Limited Partnership (3359 & 3359-A Chicago Avenue / Riverside)**
    Existing Program: Keys
    a. Mr. Burke moved to ratify the lease agreement with Martin Investment Company, a California Limited Partnership (3359 & 3359-A Chicago Avenue/Riverside).
    b. Mr. Vela seconded.
    c. Discussion:
        i. None
    d. 6 AYES (Burke, Vela, Darrow, Mejares Pham, Ponzio, Ryle); 0 NOES; 0 ABSENT. Motion adopted.

19. *Action:* **Ratification of Lease Agreement with Temecula Corporate Park, L.P. (43397 Business Park Drive, Suite D-10 / Temecula)**
    Administrative Offices: Library
    a. Ms. Ponzio moved to ratify the lease agreement with Temecula Corporate park, L.P. (43397 Business Park Drive, Suite D-10 / Temecula).
    b. Mr. Burke seconded.
    c. Discussion:
        i. Mr. Burke: When discussing contracts it would be helpful to have one hard copy available for review at the Board meeting.
    d. 6 AYES (Ponzio, Burke, Darrow, Mejares Pham, Ryle, Vela); 0 NOES; 0 ABSENT. Motion adopted.

20. *Action:* **Ratification of Lease Amendment with JC Williams, LLC (760 W Acacia Avenue, #102 & #103 / Hemet)**

Existing Programs: Keys & Quest

a. Mr. Burke moved to ratify the lease amendment with JC Williams, LLC (760 W. Acacia Avenue, #102 & #103 / Hemet).
b. Mr. Vela seconded.
c. Discussion:
    i. None
d. 6 AYES (Burke, Vela, Darrow, Mejares Pham, Ponzio, Ryle); 0 NOES; 0 ABSENT. Motion adopted.

21. *Action:* **Ratification of Lease Agreement with Black Mountain Trust (43406 Business Park Drive / Temecula)**

a. Mr. Vela moved to ratify the lease agreement with Black Mountain Trust (43406 Business Park Drive / Temecula).
b. Ms. Ponzio seconded.
c. Discussion:
    i. Mr. Burke: The monthly rent is listed incorrectly on the summary. It should say $5,000/month.
    ii. Mr. Hermsmeyer: Correct. This is new space that our Special Ed department will be moving into. We're keeping these lease agreements until 2018. I am looking into new space for all of administration to move to.
d. 6 AYES (Vela, Ponzio, Burke, Darrow, Mejares Pham, Ryle); 0 NOES; 0 ABSENT. Motion adopted.

22. *Action:* **Approval of Corporate Resolution 201.9 (requested by Stewart Title of California, Inc.)**

Administrative Offices: Pupil Services Department

a. Ms. Ponzio moved to approve Corporate Resolution 201.9 (requested by Stewart Title of California, Inc.) with the amendment of specific YMCA property (4020 Jefferson Street / Riverside).
b. Mr. Burke seconded.
c. Discussion:
    i. None
d. 6 AYES (Ponzio, Burke, Darrow, Mejares Pham, Ryle, Vela); 0 NOES; 0 ABSENT. Motion adopted.
e. Ms. Ponzio moved to re-open action item approval of corporate resolution 201.9.
f. Mr. Burke seconded.
g. Discussion:
    i. Ms. Ponzio: In the future, I would feel more comfortable if Dr. and Mr. Hermsmeyer weren't signing leases or making real estate decisions exclusively.
    ii. Ms. Podratz: The current Board Contracts Policy states that Amy Podratz, Dr. Hermsmeyer, Phil Hermsmeyer, and Diane Anvari can sign contracts, so that Board Policy would need to be revised.

VI. GOVERNANCE

23. *Action:* **Approval of Superintendent's 2014-2015 Goals**

a. Ms. Ryle moved to approve the Superintendent's 2014-2015 goals.
b. Ms. Ponzio seconded.

c. Discussion:
    i. Dr. Hermsmeyer: We are in an odd year in that we won't have as much standardized assessment data from the state. We'll have benchmark data next year but expect it to be significantly lower. We'll be using I-Ready as our growth measurement this year. We will have CAHSEE and CELDT; however, this is a small subset of our population.
d. 6 AYES (Ryle, Ponzio, Burke, Darrow, Mejares Pham, Vela); 0 NOES; 0 ABSENT. Motion adopted.

24. *Training:* **Assessment**
a. Ms. Podratz: Assessment is in a transition this year.
b. Ms. Ponzio: It seems that assessment will be difficult this year.
c. Ms. Podratz: CAHSEE data is from the March census. Kathleen, Vivian, Debbie Essel, and I review the data and give programs that aren't meeting expectations some specific support to make sure that their 10th graders pass the CAHSEE the first time around.
d. Ms. Ponzio: Do we have a lot of students taking the CAHSEE in their 12th grade year?
e. Ms. Podratz: No. It's a small minority.
f. Ms. Ponzio: There is an error in the report on page 231. The grade 5 PFT – all of the negatives should be positive. However, the total number at the bottom of each column is correct.
g. Ms. Podratz: Thank you for catching that. I'll make those changes before posting this data.

25. *Action:* **Ratification of Board Evaluation Committees (for Fiscal Years 2013-2014 and 2014-2015)**
a. Mr. Burke moved to approve the ratification of Board Evaluation Committees (for Fiscal Years 2013-2014 and 2014-2015)
b. Ms. Ryle seconded.
c. Discussion:
    i. Ms. Mejares Pham: We have 3 separate committees that conduct the evaluations of Diane Anvari, Phil Hermsmeyer, and Dr. Kathleen Hermsmeyer.
    ii. Ms. Parks: Kathleen has a contract with each Board, so they should each individually evaluate her.
    iii. Ms. Mejares Pham: Are there any volunteers for this Board?
    iv. Mr. Darrow: I'll volunteer for one committee.
d. Ms. Ryle moved to approve the ratification of Board Evaluation Committees (for Fiscal Years 2013-2014 and 2014-2015) with Mr. Darrow volunteering for the Board Evaluation Committees for Ms. Diane Anvari and Mr. Phil Hermsmeyer.
e. Ms. Ponzio seconded.
f. 6 AYES (Ryle, Ponzio, Burke, Darrow, Mejares Pham, Vela); 0 NOES; 0 ABSENT. Motion adopted.

26. *Action:* **Approval of Revised Board Policy 3005.1 – Bonuses, Incentives, & Awards**
a. Mr. Burke moved to approve the Revised Board Policy 3005.1 – Bonuses, Incentives, & Awards.
b. Mr. Vela seconded.
c. Discussion:
    i. Mr. Burke: What is the history of this policy? How far down in the organization does this go? A 15% one-time bonus is a large bonus.
    ii. Dr Hermsmeyer: Currently, we have a bonus for Homeschool Education Specialists (ES) based on student achievement.
    iii. Mr. Vela: Is there a frequency clause? Can an employee be awarded a bonus multiple times per year?

iv. Dr. Hermsmeyer: We don't really award bonuses very often. This is really reserved for a specific class of people, like the ES Student Achievement bonus. We also work closely with HR to keep things equitable.
v. Ms. Podratz: The purpose of the policy is to tighten up the discretion of the Superintendent. We can lower the maximum amount to 10% or state a frequency. The reason this came back to the Board is because Empire is taking on the staff development piece of the budget, and upon reviewing this policy I wanted to give the Board more discretion on what needs to be approved by the Board.
vi. Mr. Burke: Is there a process for determining who gets a bonus and why?
vii. Ms. Podratz: A Director would have to request approval from the Superintendent. Kathleen would then speak to Amy Podratz and Diane Anvari about it before moving forward.
viii. Mr. Burke: There should be a defined comp committee for management to make the final decision for bonuses. Recommendation is Amy Podratz, Assistant Superintendent of Business & Admin Operations, Dr. Kathleen Hermsmeyer, Superintendent, and Diane Anvari, Assistant Superintendent of Human Resources.
ix. Ms. Ryle: I would like for the Board to be notified of these types of bonuses so we are aware and can congratulate the employee.
x. Ms. Parks: That can be discussed during closed session of the Board meeting to keep the anonymity of the employee(s).
xi. Mr. Darrow: I would like to change the verbiage of the policy to state that a Director "may" offer a bonus instead of "should".
xii. Ms. Ponzio moved to approve the Revised Board Policy 3005.1 – Bonuses, Incentives, & Awards with the addendum that there be a defined compensation committee of 3 (Assistant Superintendent of Business & Admin Operations, Superintendent, Assistant Superintendent, Human Resources) and that the Board be informed in closed session.
xiii. Mr. Burke seconded.

d. 6 AYES (Burke, Vela, Darrow, Mejares Pham, Ponzio, Ryle); 0 NOES; 0 ABSENT. Motion adopted.

VII. CLOSED SESSION

27. *Action:* **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Subdivision (a) Section 54956.9)**
    a. Case: Aguilar, Dabney vs. RSCS

VIII. OPEN SESSION

28. *Action:* **Public Report of Action Taken in Closed Session in Accordance with Gov Code Section 54957.1/54957.9**
    27. Action: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Subdivision (a) Section 54956.9)** Case: Aguilar, Dabney vs. RSCS
        i. No action to report

IX. ADJOURNMENT

29. *Action:* **Motion to Adjourn the Meeting**
    a. Ms. Ryle motioned to adjourn the meeting at 4:01p.m.
    b. Ms. Ponzio seconded.
    c. Discussion:
        i. Add agenda item to next Board meeting: "Review and Possible Revision of Contracts Policy"

d. 6 AYES (Ryle, Ponzio, Burke, Darrow, Mejares Pham, Vela); 0 NOES; 0 ABSENT. Motion adopted.

XI. NEXT REGULAR MEETING

RETREAT: Thursday, September 11, 2014, 9:00a.m. – 4:00p.m.
Temecula Administrative Offices – 43448 Business Park Drive – Temecula, CA 92590

Sheila Ryle
Sheila Ryle, Secretary

9/11/14
Date

In compliance with the Americans with Disabilities Act (AB3035; CH 300, Statutes of 2000), if you need special assistance, disability-related modifications or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's governing board, please contact the Administrative Office at (951) 252-8891. Notification by noon on Monday prior to the board meeting (48 hours) will enable the school to make reasonable arrangements to assure accessibility to this meeting. Upon request, the school shall also make available this agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability.

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