HARBOR SPRINGS CHARTER SCHOOL BOARD OF DIRECTORS

43466 BUSINESS PARK DRIVE • TEMECULA, CA 92590

REGULAR MEETING
MINUTES

August 15, 2013
2:30 – 4:30p.m.
43448 Business Park Drive / Temecula, CA 92590
Conference Line (218) 844-3366 / Code: 020100#*

I. PRELIMINARY

1. *Action*: **Call to Order & Pledge of Allegiance**
   - **a.** Board Chairman, Ms. Ellard, called the meeting to order at 2:39pm.

PRESENT:

Pamela Ellard, Chairman Steaven Chan, Vice Chairman Rachel Couch, Board Secretary Jennifer Mejares Pham, Board Treasurer Andrea Sexton, Legal Counsel *(c.c.)* Kathleen Hermsmeyer, Executive Director Kyla Shofner, Director of Charter Relations	Amy Podratz, Chief Business Officer Vivian Price, Chief Personalized Learning Officer Teasa Phalen, Springs Charter Schools Board Chairman

2. *Action*: **Approval of Agenda**
   - **a.** Ms. Mejares Pham moved to approve the agenda.
   - **b.** Ms. Chan seconded.
   - **c.** Discussion:
   - **d.** 4 AYES (Mejares Pham, Chan, Couch, Ellard); 0 NOES; 0 ABSENT. Motion adopted.

3. *Action*: **Approval of Meeting Minutes – May 24, 2013**
   - **a.** Ms. Couch moved to approve the May 24, 2013 meeting minutes.
   - **b.** Ms. Chan seconded.
   - **c.** Discussion:
   - **d.** 4 AYES (Couch, Chan, Ellard, Mejares Pham); 0 NOES; 0 ABSENT. Motion adopted.

4. *Action*: **Election of Corporate Officers & Board Officers**
   - **a.** Ms. Mejares Pham moved to appoint Ms. Ellard as the Chairman.
   - **b.** Ms. Couch seconded.
   - **c.** Discussion:
     i. Mr. Chan requested clarification about how to nominate the officers. Ms. Shofner clarified that each officer needs to be appointed with a separate motion, second, and majority vote.
   - **d.** 4 AYES (Mejares Pham, Couch, Chan, Ellard); 0 NOES; 0 ABSENT. Motion adopted.

   - **e.** Ms. Mejares Pham moved to appoint Mr. Chan as the Vice Chairman.
   - **f.** Ms. Couch seconded.
   - **g.** Discussion: None
   - **h.** 4 AYES (Mejares Pham, Chan, Couch, Ellard, Mejares Pham); 0 NOES; 0 ABSENT. Motion adopted.

   - **i.** Ms. Mejares Pham moved to appoint Dr. Kathleen Hermsmeyer as the President.

j. Mr. Chan seconded.
k. Discussion:
   i. Ms. Sexton: The bylaws were clarified so that the Executive Director is the day to day manager of the corporation (i.e., the President). For corporate housekeeping services the board should go through the process of appointing officers, including the President, each year.
l. 4 AYES (Mejares Pham, Chan, Couch, Ellard); 0 NOES; 0 ABSENT. Motion adopted.

m. Ms. Mejares Pham moved to appoint Ms. Couch as the Secretary.
n. Ms. Chan seconded.
o. Discussion:
   i. Ms. Sexton: You can have the same person serve as Secretary and Treasurer, but you'll need to entertain separate motions.
   ii. Ms. Couch requested that she not be appointed as treasurer only because she isn't as familiar with the roles.
p. 4 AYES (Mejares Pham, Chan, Couch, Ellard); 0 NOES; 0 ABSENT. Motion adopted.

q. Mr. Chan moved to appoint Ms. Mejares Pham as the Treasurer.
r. Ms. Ellard seconded.
s. Discussion: None
t. 4 AYES (Chan, Ellard, Couch, Mejares Pham); 0 NOES; 0 ABSENT. Motion adopted.

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.

5. *Action*: **Ratification of Contract – Innovative School Solutions, Inc. (O.A.S.I.S.) – *Pulled from consent agenda***
   a. Ms. Mejares Pham moved to ratify the contract with Innovative School Solutions, Inc. (O.A.S.I.S.).
   b. Mr. Chan seconded.
   c. Discussion:
      i. Mr. Chan: Why does the contract discuss training when we've been using OASIS already?
      ii. Ms. Podratz: A lot of times OASIS upgrades the system; with major upgrades, they would train certain staff.
      iii. Mr. Chan: I am asking about the optional fees.
      iv. Ms. Podratz: The optional fees would be if we asked for anything additional which we have not done in years.
   d. 4 AYES (Mejares Pham, Chan, Couch, Ellard); 0 NOES; 0 ABSENT. Motion adopted.
6. *Action*: **Ratification of Contract – N. Harris Computer Corporation (AptaFund)**
7. *Action*: **Ratification Of Contract – Online Purchasing System**
8. *Action*: **Approval of 2013-2014 Attendance Calendar**
9. *Action:* **Approval of Revised Board Policy 5006.1 – Independent Study – *Pulled from consent agenda***
   a. Ms. Couch moved to approve revised board policy 5006.1 – Independent Study.
   b. Ms. Mejares Pham seconded.
   c. Discussion:
      i. Ms. Ellard inquired if HSCS would be required by law to give access for academy ("on site") programs to all students.

ii. Ms. Podratz: We cannot force students to go into an independent study program.
iii. Ms. Sexton: This is a pure statement of law from California Education Codes which also applies to charter schools. No one is required to do independent study, and no one can be forced to have that as their educational option. You are a school of choice. If a student enrolls with your school, they are choosing independent study.

d. 4 AYES (Couch, Mejares Pham, Chan, Ellard); 0 NOES; 0 ABSENT. Motion adopted.

10. *Action:* **Approval of Revised Board Policy 7002.1 – Board-Staff Communications**
11. *Action:* **Approval of Revised Board Policy 8001.1-8001.3 – Hiring**
12. *Action:* **Approval of Revised Board Policy 8002.1-8002.4 – Compensation**
13. *Action:* **Approval of Revised Board Policy 8003.1-8003.3 – Termination**
14. *Action:* **Approval of Revised Board Policy 8004.1 – Harassment-Free Workplace**
15. *Action:* **Approval of Revised Board Policy 8005.1 – Employee Complaints**
16. *Action:* **Approval of Revised Board Policy 8006.1 – Certification**
17. *Action:* **Approval of Revised Board Policy 8007.1 – Social Media Guidelines for Staff – *Pulled from consent agenda***

a. Ms. Mejares Pham moved to approve the revised board policy 8007.1 – Social Media Guidelines for Staff.
b. Mr. Chan seconded.
c. Discussion:
i. Ms. Mejares Pham: Do we ask the students to sign the same kind of policy within their student handbook? If we don't tell our students up front that their teachers are not allowed to "friend" them on Facebook, it sets them up for uncomfortable situations.
ii. Dr. Hermsmeyer: We do have our students sign a technology agreement, but I'm not sure if it includes that particular language.
iii. Ms. Mejares Pham: I'd like to just flat out tell our students that their teachers can't add them on Facebook.
iv. Ms. Ellard: I also learned at a conference that many employers are looking at their prospective employees' social media pages before hiring them. I think we should consider training our students in how to present themselves on social media and how it could affect them.
v. Dr. Hermsmeyer: Robin Mammoth (of the River Springs Board) told me this is called "netiquette."
vi. Ms. Mejares Pham: This policy also doesn't state anything about etiquette for posting pictures from, for example, a student field trip.
vii. Ms. Sexton: There are other policies the board can adopt that cover use of likeness. This policy is important because it stresses how the onus is on the adult (teachers and staff) to keep the proper boundaries in place. I can send over some policies the board could consider.

d. 4 AYES (Mejares Pham, Chan, Couch, Ellard); 0 NOES; 0 ABSENT. Motion adopted.
e. Ms. Mejares Pham moved to approve the consent agenda after pulling agenda items 5 9, and 17.
f. Mr. Chan seconded.
g. 4 AYES (Mejares Pham, Chan, Couch, Ellard); 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.

18. *Information*: **PUBLIC COMMENTS**

a. None

19. *Information:* **BOARD COMMENTS**

a. Ms. Mejares Pham: I'm really excited for our new school year.

IV. BUSINESS

20. *Information*: **Board Receipt & Review of Compensation & Comparability Data for Executive Director**

a. Ms. Sexton provided some overview on this issue which is also detailed in the executive summary.
b. Mr. Chan: Since our Executive Director is the same director of three schools, how does this affect the compensation data?
c. Ms. Sexton: I think we can address that question as part of agenda item 22.
d. The Board of Directors received and reviewed compensation and comparability data prepared by the Law Offices of Young, Minney & Corr in May 2013 for the Executive Director.

21. *Action:* **Approval of Resolution 100.1 – Determining Reasonable Executive Compensation**

a. Ms. Mejares Pham moved to approve the Resolution 100.1 – Determining Reasonable Executive Compensation.
b. Mr. Chan seconded.
c. Discussion: None
d. 4 AYES (Mejares Pham, Chan, Couch, Ellard); 0 NOES; 0 ABSENT. Motion adopted.

22. *Action:* **Approval of Executive Director's Fixed Term Employment Agreement**

a. Ms. Couch moved to approve the Executive Director's Fixed Term Employment Agreement.
b. Mr. Chan seconded.
c. Discussion:
  i. Mr. Chan: Since our Executive Director is the same director of three schools, how does this affect the compensation data?
  i. Ms. Mejares Pham: I suggest that in the future the Executive Director's total, shared compensation package be listed in the annual compensation review.
  ii. Ms. Sexton: I think this is a very good approach you are taking; it is very transparent and allows the board to do its due diligence.
d. 4 AYES (Couch, Chan, Ellard, Mejares Pham); 0 NOES; 0 ABSENT. Motion adopted.

23. *Action:* **Approval of MOU with Springs Charter Schools**

a. Mr. Chan moved to approve the MOU with Springs Charter Schools.
b. Ms. Couch seconded.
c. Discussion: None
d. 4 AYES (Chan, Couch, Ellard, Mejares Pham); 0 NOES; 0 ABSENT. Motion adopted.

24. *Action:* **Approval of MOU with River Springs Charter School (for Finance & Special Education)**

a. Ms. Mejares Pham moved to approve the MOU with River Springs Charter School (for Finance and Special Education).
b. Mr. Chan seconded.
c. Discussion: None
d. 4 AYES (Mejares Pham, Chan, Couch, Ellard); 0 NOES; 0 ABSENT. Motion adopted.

25. *Information:* **Application for LEA Status in the Riverside Special Education Region**

a. The Board of Directors received and reviewed the application for LEA Status in the Riverside Special Education Region.

b. Ms. Podratz: We are working with the Riverside Special Education Local Plan Area (SELPA) (who are being very helpful) to make Harbor Springs its own LEA (as opposed to being a school of the district). As an LEA, Harbor Springs will be receiving its special education funding directly. We had to apply to the SELPA as an LEA to get this approval.

c. Ms. Podratz (in response to a question from Ms. Ellard): River Springs is already serving Harbor Springs students which is why the Riverside SELPA can serve San Diego students, and it is looking favorable to pass.

26. *Action:* **Approval of Revised MOU with Julian Union Elementary School District**

a. Mr. Chan moved to approve the MOU with Julian Union Elementary School District.

b. Ms. Couch seconded.

c. Discussion:

i. Ms. Shofner: I still need to send this revised MOU to the JUESD Board of Trustees for their review and approval of the changes.

d. 4 AYES (Chan, Couch, Ellard, Mejares Pham); 0 NOES; 0 ABSENT. Motion adopted.

27. *Action:* **Approval of Revised Bylaws**

a. Mr. Chan moved to approve the revised Bylaws.

b. Ms. Mejares Pham seconded.

c. Discussion:

i. Ms. Sexton (in response to a question from Mr. Chan): The City of Temecula does clarify where we operate which is fine for purposes of the bylaws. The actual address is registered with the Secretary of State.

d. 4 AYES (Chan, Mejares Pham, Couch, Ellard); 0 NOES; 0 ABSENT. Motion adopted.

28. *Action:* **Approval of Resolution 100.2 for State Disability Insurance**

a. Ms. Couch moved to approve Resolution 100.2 – State Disability Insurance.

b. Ms. Mejares Pham seconded.

c. Discussion: None

d. 4 AYES (Couch, Mejares Pham, Chan, Ellard); 0 NOES; 0 ABSENT. Motion adopted.

V. GOVERNANCE

29. *Action:* **Approval of Executive Director's 2013-2014 Goals**

a. Mr. Chan moved to approve the Executive Director's 2013-2014 Goals.

b. Ms. Mejares Pham seconded.

c. Discussion:

i. Dr. Hermsmeyer: This is the baseline year, so we are establishing data.

ii. Dr. Hermsmeyer: Because I didn't mention some details at my Monday board update, I wanted to let the board know of some important details. We have learned from the Law Offices of Young, Minney & Corr that we were interpreting AB 1994 incorrectly. The correct way to interpret the law is that we must have the majority of our students in the county we are serving (50% +1); otherwise, we can't have a center outside of that county. The new program we're starting in Orange County (Quest) is likely to be the right size to match up with Harbor's Homeschool enrollment. Therefore, the Palm Street Academy will not be a part of the Harbor Springs Charter. (It will be staying with River Springs Charter.)

iii. Ms. Podratz: We have re-enrolled K-10 Homeschool students in San Diego. Once the WASC process is complete, we will be enrolling 11th and 12th grade students. You also have the OC Quest Student Center which will balance your demographics. The new Local Control Funding Formula (LCFF) is heavily reliant on students who are English Learners and who qualify for Free and Reduced Lunch. If you have balanced demographics, your budget

will be healthier. We have to make sure there is at least one more student in Homeschool than there is enrolled at the Orange County Quest Academy.

iv. Ms. Podratz (in response to a question from the board): Today's enrollment count is 81 students. Our high last year was 180 students. There are 750 students on the prospective list. We have 30 more spaces that can be filled with the current ES roster (without hiring). We anticipate 115 students in the Orange County Quest Academy in Year 1.

v. Ms. Ellard clarified that Orange County is contiguous to San Diego County.

vi. Ms. Mejares Pham: Do we have any sites in mind? Are we doing research?

vii. Dr. Hermsmeyer: Yes. I have looked at a site in Oceanside and one in Escondido right off the freeway.

viii. Dr. Hermsmeyer (in response to a question from Mr. Chan): With 6000 square feet (and factoring in office and meeting space), we figure we can get five big classrooms or six smaller classrooms which would equal about 120 students at one time. We would probably do two programs at that site.

ix. Dr. Hermsmeyer (in response to a question from Mr. Chan): The Quest program is an inquiry-based, experiential constructivism program where the kids do projects and hands-on learning five days per week. Their plan is to have uniforms and activities at the end of each day (like Odyssey of the Mind, Chess Club).

d. 4 AYES (Chan, Mejares Pham, Couch, Ellard); 0 NOES; 0 ABSENT. Motion adopted.

VI. ADJOURNMENT

30. *Action:* **Motion to Adjourn the Meeting**

a. Mr. Chan moved and Ms. Couch seconded to adjourn the meeting at 3:39p.m.

b. 4 AYES (Chan, Couch, Ellard, Mejares Pham); 0 NOES; 0 ABSENT. Motion adopted

VII. NEXT REGULAR MEETING

Thursday, September 12, 2013, 2:00pm – 3:00pm

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

Rachel L. Couch — 8/26/13

Rachel Couch, Board Secretary — 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.**